

# THE KILLING STATE

## REMEMBERING IS RESISTANCE

Findings of the 2017-2021 Documentation of Extrajudicial Killings (EJKs)  
and Other Human Rights Violations Committed Under the so-called War  
on Drugs of the Duterte Administration



PhilRights

By your dust, and by the dust of all generations, I promise to continue, I promise to preserve! The jungle may advance, the bombs may fall again—but while I live, you love—and this dear city of our affections shall rise again—if only in my song! To remember and to sing: that is my vocation.

**- Nick Joaquin, The Portrait of the Artist as Filipino**

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# MONITORING AND DOCUMENTATION OF EJKs

President Rodrigo Duterte's so-called war on drugs is and always has been a war waged against the poor. Since 2016, thousands of alleged extrajudicial killings (EJKs) and other gross violations of human rights committed against the poor have been reported in the media and documented by human rights organizations, including the Philippine Human Rights Information Center. The COVID-19 pandemic did not dampen the bloody campaign, with a flood of reports from human rights defenders and peoples' organizations highlighting the continuing violence in impoverished communities.

For this reason and for the fact that the Duterte administration has made brazen attempts to fend off accountability and transparency in the conduct of its centerpiece campaign on illegal drugs, the cause of justice and human rights has taken on even more urgency. This report, a product of four years of in-depth monitoring and documentation, aims to contribute to the vital task of identifying and documenting cases of violations, so that they are not erased from public memory, and so that evidence may be gathered for use in exacting accountability.

# OUR METHODOLOGY

PhilRights' documentation abides by the principles and investigation guidelines set by The Minnesota Protocol on the Investigation of Potentially Unlawful Deaths (2016). This document, also known as **The Minnesota Protocol**, was issued by the Office of the United Nations High Commission for Human Rights (OHCHR) to set international legal standards to prevent unlawful deaths and investigate extra-legal, summary, and arbitrary executions.

The Minnesota Protocol clarifies that a “potentially unlawful death” may (1) have been due to the acts or omission of the State, its organs or agents including law enforcers, paramilitary groups, militias or death squads allegedly “acting under the direction or with the permission or acquiescence of the State,” and “private military or security forces exercising State functions,” (2) have happened when the victim was in detention by or in custody of the State, its organs or agents, and (3) have been due to the failure of the State to fulfill its obligation in protecting life. Under international law, a “potentially unlawful death” is the product of an arbitrary, summary, or extra-legal execution or an alleged extrajudicial killing. In the event that the victim survived the incident, the violation is referred to as “frustrated or attempted extrajudicial killing.”

PhilRights works with community partners in Manila, Caloocan, Malabon, Navotas, Valenzuela, and Quezon City, and the provinces of Bulacan and Rizal for the referral of cases that occurred from July 2016 until the present, for the monitoring of human rights situation in the communities, and for the provision of assistance to victims and their families. The information obtained from the interviews with victims, families, and witnesses are checked against media reports, police records, death certificates, and other sources of information.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## MAY 2016

National elections were held. Rodrigo Duterte won the presidency by a comfortable margin.

## JUNE 2016

On June 30, Duterte was inaugurated as the 16th president of the country.

## JULY 2016

Oplan Double Barrel, which consists of Oplan High-Value Target and Oplan Tokhang, was officially implemented on July 1.

Woman Environment Activist Gloria Capitan, who had been fighting against the coal plants in Bataan, was killed on July 1, Duterte's first day in office.

Duterte in his first SONA: "Kayo namang hindi pa bungog d'yan, hindi pa pumasok iyang mga droga, kung ayaw ninyong mamatay, ayaw ninyong masaktan, wag kayong umasa diyan sa mga pari, pati human rights, hindi nakakapigil 'yan ng kamatayan." **To those of you who aren't high yet on drugs, who aren't yet into drugs, if you don't want to die, don't want to be hurt, don't depend on the priests, and human rights, they won't stop death.**

Drug-related killings surged.

## AUGUST 2016

Duterte released a dubious matrix linking Sen. Leila de Lima and other personalities to illegal drug operations inside the New Bilibid Prison.

## SEPTEMBER 2016

Sen. Leila De Lima was ousted as the chair of the Senate Committee on Justice and Human Rights. Sen. Manny Pacquiao, then an ally of Duterte and a supporter of the drug war, assumed the post.

## OCTOBER 2016

A police vehicle rammed a protest rally in front of the US Embassy along Roxas Boulevard.

## NOVEMBER 2016

Dictator and human rights violator Former President Ferdinand Marcos was buried in Libingan ng mga Bayani.

## DECEMBER 2016

The drug war-linked death toll, according to the Philippine National Police (PNP), reached almost 6,000.



# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## **JANUARY 2017**

The National Bureau of Investigation (NBI) confirmed that police officers kidnapped and killed a Korean businessman. The perpetrators accused the victim of being involved in the drug trade. Oplan Tokhang was suspended, but killings continued.

## **FEBRUARY 2017**

The PNP declared a war against illegal gambling. There was an immediate rise in arrests and killings of people linked to illegal gambling.

## **MARCH 2017**

Oplan Tokhang resumed

## **APRIL 2017**

A secret detention cell for arrested drug users and peddlers was found in a Manila District Police precinct.

## **MAY 2017**

Then-UN special rapporteur on extra-judicial summary or arbitrary executions Agnes Callamard made an unannounced visit in the Philippines. Martial Law was imposed in Mindanao due to clashes between government security forces and the Maute group in Marawi City.

## **JUNE 2017**

The Philippine Drug Enforcement Agency (PDEA) claimed that around 50% of all the barangays in the country were drug-affected.

## **JULY 2017**

Martial Law in Mindanao was extended to until the end of 2017.

## **AUGUST 2017**

Seventeen-year-old Kian Lloyd delos Santos was killed by Caloocan City officers. The encounter was caught on CCTV cameras and caused widespread public condemnation.

Bulacan police conducted a "One Time Big Time Operation" leading to the killings of 32 people and the arrests of 109 drug suspects.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

- SEPTEMBER 2017** The president's son Paolo Duterte was investigated by the Senate over alleged drug smuggling.
- More than 1,000 Caloocan City police officers were fired over abuses. There were reports from PhilRights partner communities that many of them were reassigned in Bulacan.
- OCTOBER 2017** PDEA took over the anti-drug operations. The implementation of Oplan Double Barrel was once again suspended.
- The Philippine Army declared the Marawi conflict has ended.
- NOVEMBER 2017** The 31st ASEAN Summit was held in Clark Freeport Zone in Angeles City, Pampanga.
- DECEMBER 2017** Duterte signed Tax Reform for Acceleration and Inclusion Law (TRAIN Law).
- PNP data showed that the number of killed alleged drug personalities were around 4,000 since June 2016, but Human Rights Watch estimated that the casualties would be around 12,000.
- JANUARY 2018** TRAIN Law came into effect. Commodity prices soared immediately as a result of additional taxes.
- PNP relaunched its Oplan Double Barrel under a new set of guidelines to deter abuses. Human rights violations still ensued.
- FEBRUARY 2018** The International Criminal Court (ICC) launched its inquiry on the crimes against humanity committed in the name of the so-called drug war.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## MARCH 2018

Duterte ordered the withdrawal of the Philippines from the ICC.

## APRIL 2018

Duterte declared then Chief Justice Maria Lourdes Sereno as his enemy.

## MAY 2018

Former Chief Justice Maria Lourdes Sereno was unseated after the Supreme Court granted the quo warranto filed by Solicitor General Jose Calida on the basis of not filing her Statement of Assets, Liabilities, and Net Worth (SALN)ALN. In April, 2018 Sereno maintained that she had filed all her SALNs in the past.

Barangay and Sangguniang Kabataan (SK) elections were held.

## JUNE 2018

PNP proposed to conduct drug tests in schools.

## JULY 2018

The mayor of Tanauan, Batangas became the 11th local government official killed during the so-called drug war.

## AUGUST 2018

The country's inflation rate soared to 6.4%, causing further financial strain for Filipinos.

## SEPTEMBER 2018

Retired General Jovito Palparan was convicted of life imprisonment for the kidnapping and disappearance of students Sherlyn Cadapan and Karen Empeño. Palparan was widely seen to be responsible for numerous human rights violations that happened during the administration of Pres. Gloria Macapagal Arroyo.

## OCTOBER 2018

Several sugarcane farmers were shot dead in Sagay, Negros Occidental.

## NOVEMBER 2018

The police officers who killed Kian Lloyd de los Santos were found guilty of murder, receiving a sentence of reclusion perpetua.

Duterte issued Memorandum Order No. 32, ordering increased militarization in the regions of Samar, Negros, and Bicol to suppress and prevent "lawless violence."



# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

The Securities and Exchange Commission issued Memorandum Circular No. 15 which compels non-government organizations to submit sensitive information to assess risks related to money laundering and terrorist financing. The move was widely criticized for its "chilling effect" on civic space in the country.

## DECEMBER 2018

The government's official death toll for the so-called war on drugs had already breached the 5,000-mark.

Duterte issued Executive Order No. 70, establishing the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC). The Task Force, heavily funded and harnessing the might of the national bureaucracy and supportive local governments, engaged in red-tagging of persons and legitimate organizations, which resulted in cases of harassment and in some cases, killings.

## JANUARY 2019

Lawmakers proposed to lower the minimum age of criminal responsibility from 15 to 12.

## FEBRUARY 2019

Journalist and Rappler CEO Maria Ressa was arrested for alleged cyberlibel.

## MARCH 2019

The Philippines officially withdrew from the ICC.

Maria Ressa was once again arrested, this time for alleged violation of the Anti-Dummy Law.

The spate of killings in Negros began.

## APRIL 2019

The Supreme Court ordered the release of drug war documents.

## MAY 2019

General midterm elections were held.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## **JUNE 2019**

Fishing boat F/B Gem-Ver was rammed by a Chinese vessel in Reed Bank on the West Philippine Sea.

## **JULY 2019**

The United Nations Human Rights Council (UNHRC) adopted a resolution spearheaded by Iceland to look into drug-related killings in the country.

## **AUGUST 2019**

The questionable implementation of the Good Conduct Time Allowance (GCTA) for high-profile convicted personalities was revealed.

## **SEPTEMBER 2019**

Transport groups held a nationwide strike against jeepney phaseout proposals.

## **OCTOBER 2019**

The Senate held an inquiry on “ninja cops” or police officers involved in the drug trade. The inquiry linked former Police Chief Oscar Albayalde to the issue which led to his resignation.

## **NOVEMBER 2019**

Duterte appointed Vice President Leni Robredo as co-chairperson of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD).

## **DECEMBER 2019**

Corruption dragged down the Philippines’ ranking in the Global Food Security Index, placing 72nd out of 113 countries.

The United States banned Philippine government officials linked to the detention of Sen. Leila De Lima.

The SEC issued Memorandum Circular No. 25 of the Securities and Exchange Commission (SEC), a reworking of the earlier MC No. 15 from a year before, which downscaled the added requirements in the registration of legitimate organizations after widespread criticism of the earlier memorandum.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## JANUARY 2020

Taal Volcano erupted, affecting hundreds of thousands of Filipinos in three regions.

The first case of COVID-19 in the Philippines was reported.

The country's Gross Domestic Product (GDP) rate began its decline.

## FEBRUARY 2020

The country reported the first COVID-19 death outside of China.

## MARCH 2020

Luzon was placed under enhanced community quarantine as a measure against the spread of COVID-19, while other quarantine measures were implemented in other parts of the country.

Bayanihan to Heal as One Act 2020 was passed, aimed at bolstering the government's response to the pandemic.

Human rights violations including killings and unlawful arrests related to lockdown restrictions started being reported.

## APRIL 2020

Government sessions and meetings started being held online.

## MAY 2020

The franchise of television network ABS-CBN expired, despite public clamor for its renewal. The National Telecommunications Commission (NTC) released a cease and desist order against the network.

## JUNE 2020

The government extended COVID-19 restrictions due to a steep rise in cases.

## JULY 2020

Duterte signed into law the Anti-Terrorism Act of 2020. The law is widely criticized as a legitimizing tool for suppression of government's critics, activists, and human rights defenders.



# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## AUGUST 2020

ABS-CBN closed its regional stations and other divisions, causing the retrenchment of thousands of employees.

## SEPTEMBER 2020

Human Rights Watch, citing the government's own numbers, reported that 50% more people were killed between April and July 2020, compared to the previous four-month period.

The Department of Environment and Natural Resource (DENR) began dumping dolomite sand along Manila Bay—a project deemed unsustainable and a waste of public funds amidst the pandemic.

## OCTOBER 2020

The UNHRC adopted a resolution to provide technical assistance to the Philippine government to investigate and prosecute unlawful killings. Human rights groups welcomed the move but insisted that stronger approaches are needed.

The country was ravaged by typhoon Molave (Quinta) and supertyphoon Goni (Rolly).

President Duterte issued a pardon to US Marine Lance Corporal Joseph Pemberton without prior notice to the family of his victim Jennifer Laude and a recommendation from the DOJ. Lance Corporal Pemberton was convicted of murder for killing transgender woman Jennifer Laude in 2014.

## NOVEMBER 2020

Typhoon Vamco (Ulysses) flooded eastern Metro Manila. Magat Dam released massive amounts of water, flooding Cagayan Valley. The government was criticized for its slow and uncoordinated response.

## DECEMBER 2020

Police officer Jonel Nuezca shot a mother and her child in Paniqui, Tarlac over a feud.

# THE PHILIPPINE HUMAN RIGHTS CRISIS: A TIMELINE

## JANUARY 2021

The Department of National Defense (DND) terminated its 1989 accord with the University of the Philippines, allowing uniformed personnel to enter the university's premises without the consent of the university.

## FEBRUARY 2021

Sen. De Lima was acquitted in one of the three drug charges filed against her.

## MARCH 2021

The vaccination program in the country officially began. Greater Metro Manila was placed once again under enhanced community quarantine.

## APRIL 2021

The Philippine Statistics Authority (PSA) began collecting data for the Philippine Identification System ID or Philippine Identification Card.

Government data shows that more than 6,000 people have been killed in alleged anti-drug operations.

## MAY 2021

PSA announced a fifth quarter of economic decline, the longest recession since the years of dictator President Marcos.

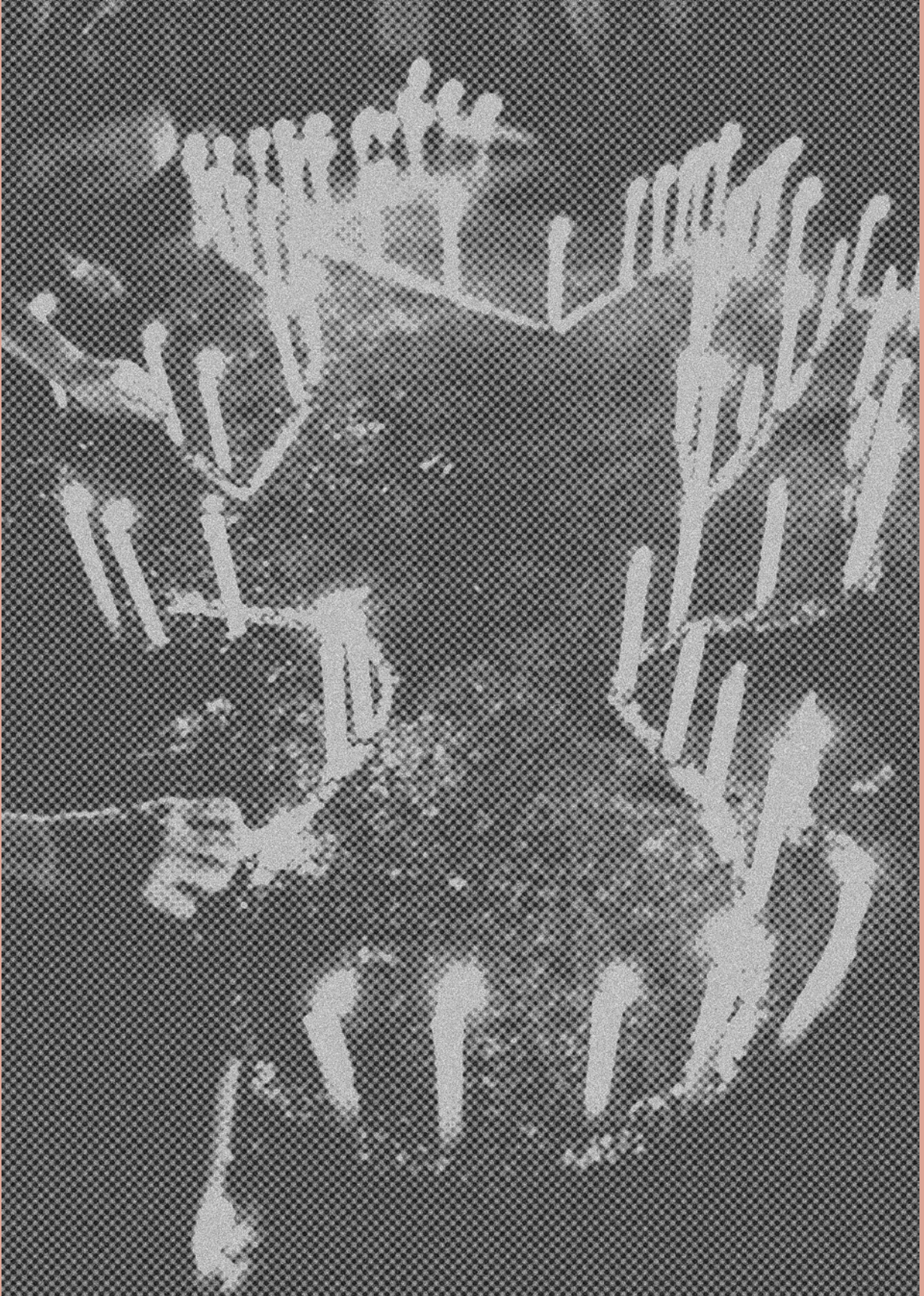
## JUNE 2021

The ICC Prosecutor asked the Pre-Trial Chamber to allow the investigation of the Philippine situation vis-à-vis the drug war after the results of the preliminary examination show that the conditions are met for an investigation to occur. The Victim's Participation and Reparation Section (VPRS) of the Court started to accept the views of the victims.

## JULY 2021

Duterte ridiculed the ICC in his last SONA as President, saying that he never denied that he would kill in the drug war.





**PART 1**

**FINDINGS:  
VICTIMS  
OF EJK**

## DOCUMENTED EJKs

**From  
August 15,  
2017 to July  
31, 2021**

**PhilRights fully  
documented **180**  
victims of alleged  
extrajudicial  
killings**

### Documented EJKs by Research Period

2017–2018: 57

2018–2019: 81

2019–2020: 38

2020–2021: 4

COVID-19 and the pandemic-related restrictions posed challenges in the conduct of the organization's documentation from February 2020 until July 2021, causing the sharp decline in the number of documented cases during this period. PhilRights fully documented another 14 victims of **pandemic-related extrajudicial killings**; 11 of whom are males, three are children, 5 are of adult age, and 11 are residents of City of San Jose del Monte, Bulacan.

Despite the pandemic, drug war-related killings continued. Between April and July 2020, the killings **increased by 50%** as shown by the government's #RealNumbersPH. From January to July 2021, PhilRights recorded 21 drug war-related deaths reported by the media.

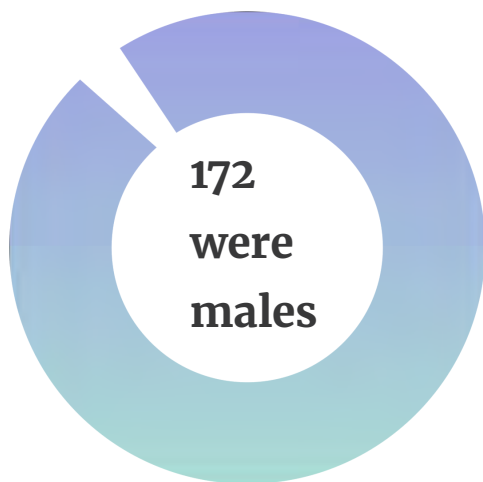
The succeeding sections will mainly focus on drug-related war EJK victims and events.



# DEMOGRAPHICS

The 180 documented victims of the so-called drug war were mostly male adults within the productive age range, were family breadwinners, were low- and irregular-wage earners from the informal sectors of the economy, were of low educational attainment and were residents of urban poor communities

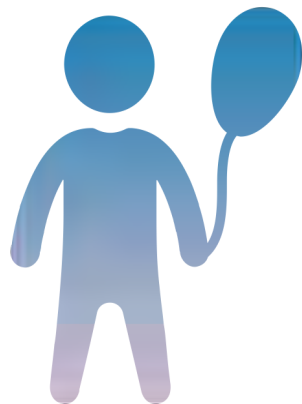
## 1. Sex, Gender, and Age



Most of the victims were male adults.

Two of the male victims were identified to have been gay.

### Of the 180 documented victims



9 were below 18 y/o



94 were young adults (18–35 y/o)



4 were older persons (60 y/o and above)

# DEMOGRAPHICS

## 2. Occupation

**168 of 180  
were earners**

**Most of them had  
low-earning jobs.**

'Low-earning jobs' is used in this report to refer to jobs that earn below or equal to the minimum wage.



**112 had variable incomes**

**53 earned fixed incomes**

The mean daily income of victims with a single source of income was around Php 410.00, usually earned after engaging in grueling jobs for eight hours or longer. The mean daily income of victims with multiple sources of income (i.e. multiple occupations) was around Php 620.00. Most of the victims, especially those who were construction workers, carpenters, house painters, porters, and electricians, worked on a seasonal basis, earning only when assigned to a project or task.

# DEMOGRAPHICS

## 2. Occupation

### Single-income Source

39 Construction workers / House Painters / Carpenters / Electricians / Linemen

33 Transport workers (Drivers / Driver's Assistants / Dispatchers / Cargo Workers / Boat Workers)

17 Vendors

17 Fisherfolks / Fishport Workers

17 Fisherfolks / Fishport Workers  
8 Garbage Collectors / Scavengers

5 Child Laborers

3 Porters / Kargador

2 Law Enforcers

19 Other Occupations (e.g. Junk Shop Staff, House Caretaker, Messenger, Mechanic, Appliance and Gadget Repair Worker, Security Guard)

### Multiple-income Source

22 with Multiple Occupations (e.g. Porter and Fisherfolk, Errand Boy and Tricycle Driver, Dishwasher and Fish Vendor)



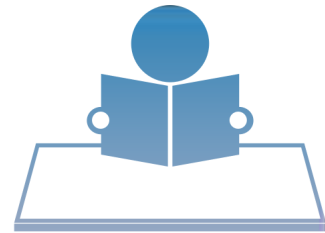
# DEMOGRAPHICS

## 2. Occupation

### Non-wage Occupations

5 Students

1 Housewife



### Unemployed

6 Unemployed

There is no information on the occupation, income, and variability of income of three earning victims.

Those who were self-employed (vendors, tricycle drivers, scavengers) had fluctuating incomes, ranging from Php 150.00–Php 500.00 a day, depending on their sales or number of trips made in the case of public transport drivers.

# DEMOGRAPHICS

## 3. Educational Attainment

**5**  
graduated  
college

Of the college graduates,  
three graduated from  
vocational programs and  
two had bachelor's degrees.

**34**  
did not finish  
high school

**88**  
did not finish  
high school

**47**  
did not finish  
elementary



2 were in Alternative Learning Systems (ALS)

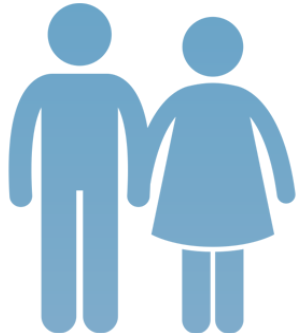
1 did not have any formal education

3 victims' educational background could not be determined



# DEMOGRAPHICS

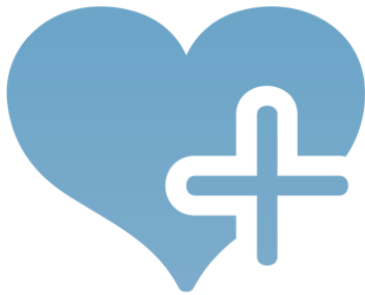
## 4. Civil Status



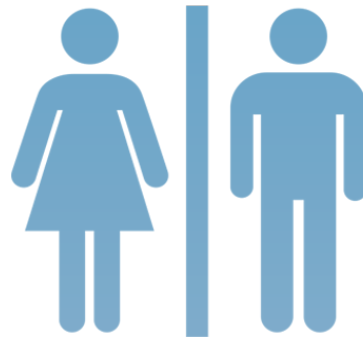
**66 with common-law spouse**



**65 were single**



**43 were married**

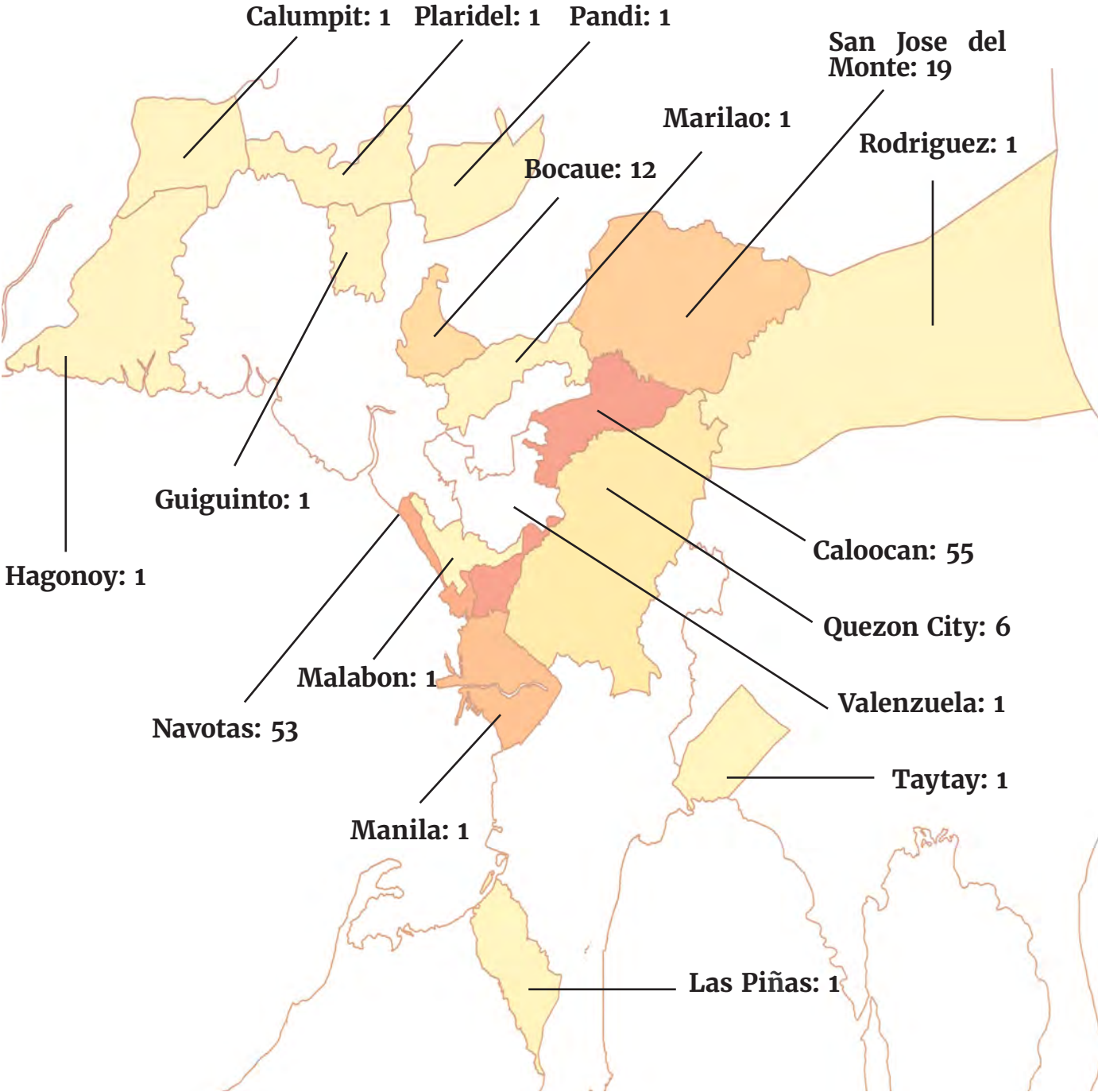


**4 were separated**

2 victims' civil status could not be determined

# DEMOGRAPHICS

## 5. Place of Residence



# DEMOGRAPHICS

## 5. Place of Residence

Most of the victims documented were residents of urban poor communities and did not own their dwelling. Over half (57.22%) resided in informal settlements, relocation sites, houses of relatives and friends, and public thoroughfares (streets).



**49 in Informal Settlements**



**46 in Relocation Sites  
6 in Homes of Relatives  
and Friends**



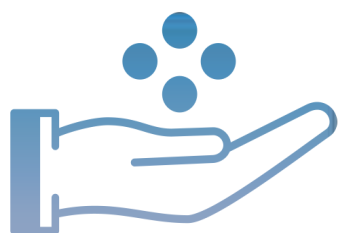
**2 on Streets**

Most of the documented victims lived in Caloocan City (30.56%), Navotas City (29.44%), and Manila (13.33%). Caloocan and Manila are also the cities with the highest incidents of alleged extrajudicial killings according to the **figures released in June 2018** by the Ateneo School of Government (ASOG), based on media and online data they collected (Manila, 23.2% of all media-reported extrajudicial killings in the country; and Caloocan, 18.7%). Outside Metro Manila, the City of San Jose del Monte in Bulacan tops the list in the number of victims documented.

# DEMOGRAPHICS

## 6. Recipients of Conditional Cash Transfer

PhilRights also looked into membership with the Conditional Cash Transfer (CCT) program as an indicator of the victims' poverty condition.



**53 victims had dependents who are recipients in the CCT program**

Without the help of the victims who were the primary income earners, families said that they were left dependent on the small subsidy while struggling to comply with the requirements of the program.

## 7. Impact on Household Income



**On average, the victim contributed around 40% of the household income.**

Seventy-one (48.30%) of the 147 victims with known income were primary income earners. They contributed more than 50% of the total household income

The income of 21 victims could not be identified, while 12 victims were not earners.

# DEMOGRAPHICS

## 8. Dependents

On average, a victim has three dependents.



279 children lost either of their parents

3 children lost both parents

## 9. Alleged Links to Illegal Drugs

Informants were asked whether they had knowledge of the victim's involvement in illegal drugs (whether as a user or peddler).



91 had a history of drug use only

8 had a history of drug peddling only

16 had a history of both drug use and peddling

65 had no known links to illegal drugs



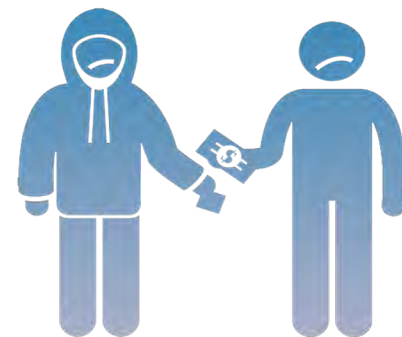
# DEMOGRAPHICS

## 9. Alleged Links to Illegal Drugs

According to informants/families, the nature of the victims' work was a contributing factor to their drug use and that they were not addicts. Some of the families of the truck drivers, for example, claimed that the victims were using illegal drugs to help them stay awake during long drives. Some victims had also been influenced by their co-workers to use illegal drugs.



Some of the documented victims were involved in street-level illegal drugs trade (“pushers”) due to lack of livelihood opportunities. Informants said that earnings from street-level peddling is minimal.



Informants believe that these victims were killed because of “palit-ulo.” Some were victims of **mistaken identity** or were killed in operations targeting other persons (“damay”).

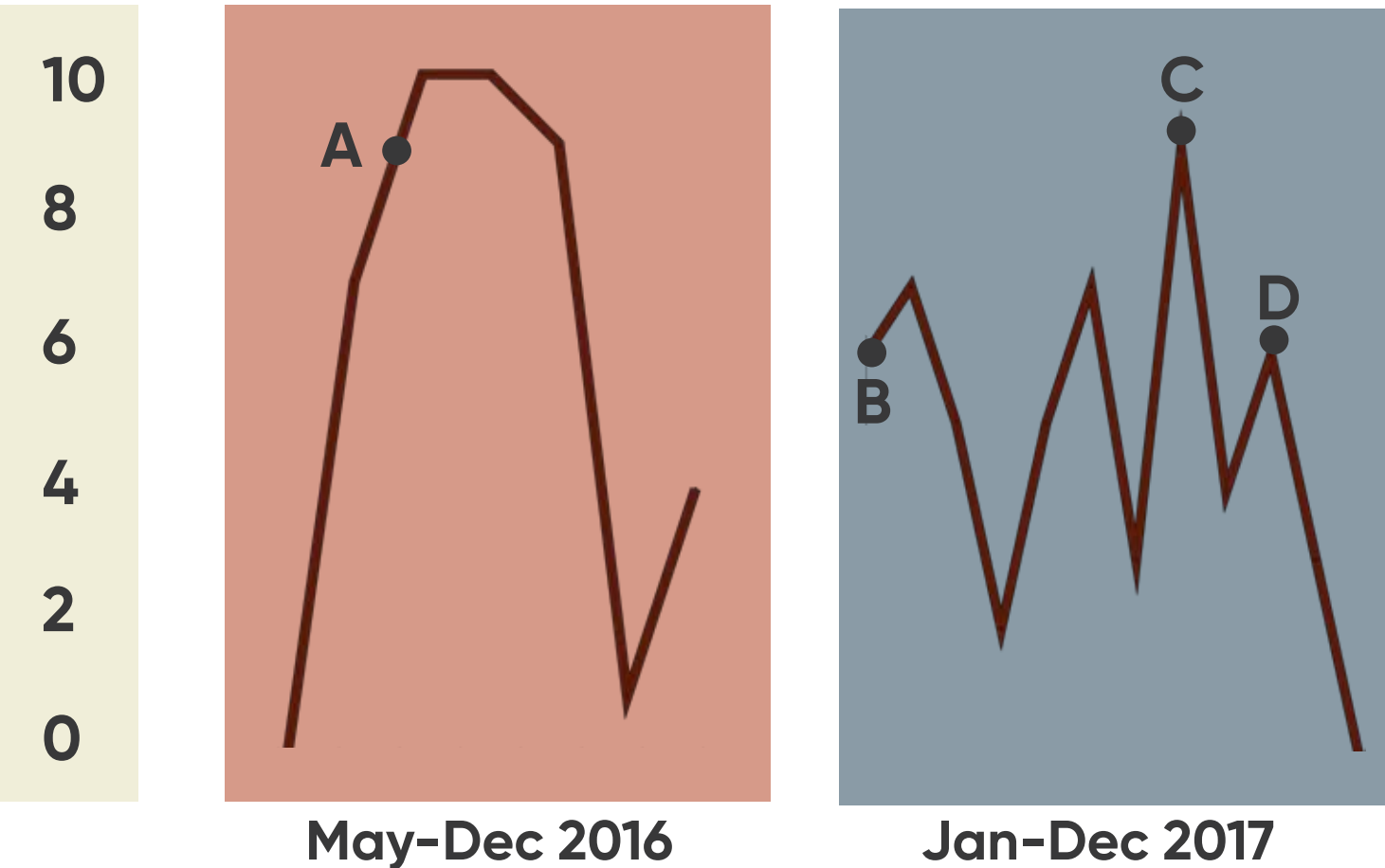






# MODALITIES AND PATTERNS

## 1. When were they killed?

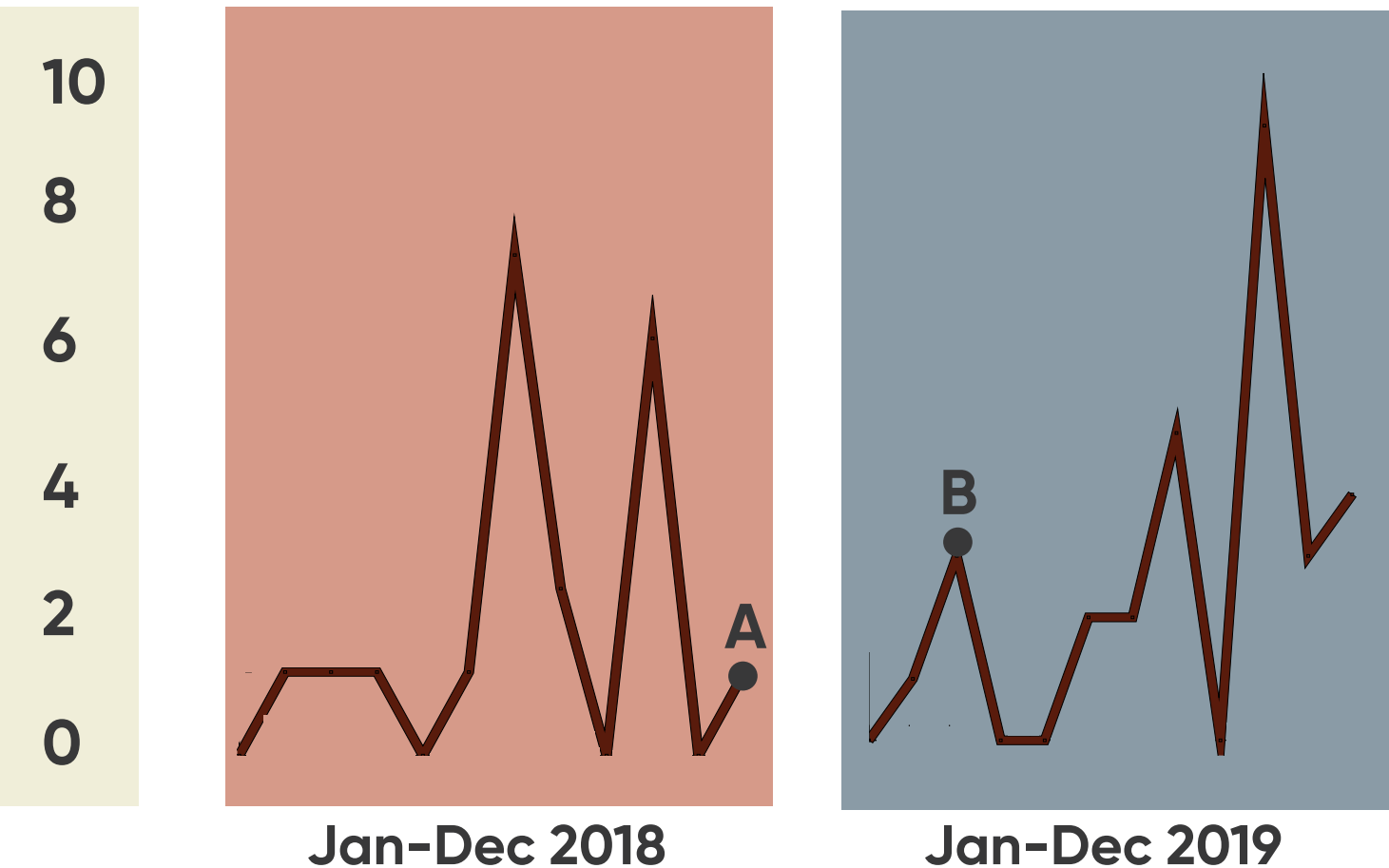


Documented killings in 2016 peaked in the months of August and September, with 10 documented killings. For 2017, the peak of documented killings was in the month of August, with nine.

- A - **JUL 2016: Oplan Tokhang was officially implemented.**
- B - **MAR 2017: Oplan Tokhang was suspended between 30 January 2017 and 6 March 2017, but there were still 12 incidents documented within the period.**
- C - **AUG 2017: Kian Lloyd delos Santos was killed by Caloocan City officers.**
- D - **OCT 2017: The Philippine Drug Enforcement Agency (PDEA) took over the anti-drug operations**

# MODALITIES AND PATTERNS

## 1. When were they killed?

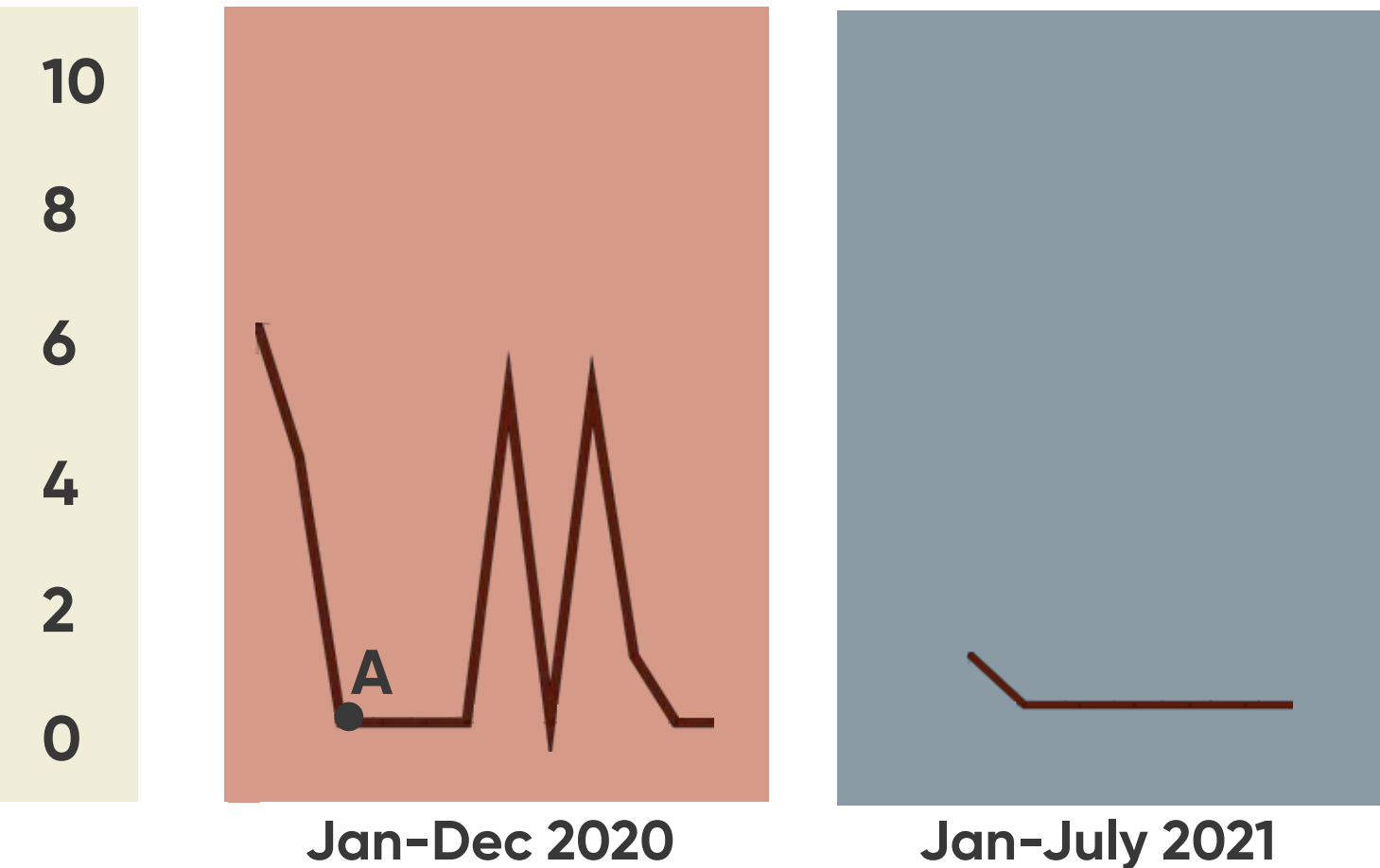


For 2018, the peak of documented killings was in the month of July, with seven. The following year, the documented killings peaked at 10 in the month of October.

- A - **DEC 2018: The government's official death toll has already breached the 5,000-mark.**
- B - **MAR 2019: The Philippines officially withdrew from the International Criminal Court.**

# MODALITIES AND PATTERNS

## 1. When were they killed?



Documented killings in 2020 reached a peak in January, with six. Between January and July 2021, PhilRights was only able to fully document one killing. The decrease in documented killings in this 19-month period reflects the difficulties encountered by PhilRights and its community partners during the COVID-19 pandemic. Documentation activities were reduced significantly owing to strict lockdown restrictions in many communities and PhilRights' emphasis on the health and safety of its staff and partners. Despite these setbacks, PhilRights continued to receive reports of continued killings and other violations in its project areas, even at the height of lockdown.

**A - MAR 2020: The country was placed on lockdown due to COVID-19.**



# MODALITIES AND PATTERNS

## 2. Time of Killing



**55 killed between 12:00 AM and 5:59 AM**

**12 killed between 6:00 AM and 11:59 AM**

**34 killed between 12:00 PM and 5:59 PM**

**60 killed between 6:00 PM and 11:59 PM**



**The time of killing for 19 victims could not be determined.**

In these cases, time of death could not be determined because the victims were found dead, were already in funeral parlors, and/or had no official autopsy report.

# MODALITIES AND PATTERNS

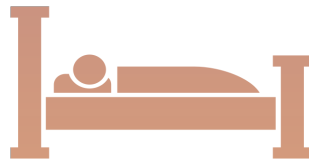
## 2. Time of Killing

**49 were killed while socializing with families and/or friends**



**14 in own residences  
10 in other people's residences  
2 in commercial establishments  
19 on the streets  
4 in public spaces**

**39 were killed while resting/sleeping**



**29 in own residences  
1 in other people's residence  
2 in parked vehicles  
2 in commercial establishments  
2 on the streets  
2 in public spaces  
1 at their workplace**

**24 were killed while working**



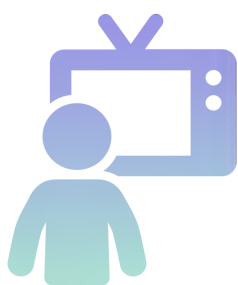
**2 in own residences  
1 in other people's residence  
9 at their workplaces  
12 on the streets (e.g. tricycle drivers)**

Many of the victims were engaged in routine activities when they were killed: socializing with families and/or friends, working, resting or sleeping, engaging in leisure activities and chores, in transit, in their own or other people's homes, in workplaces, in commercial establishments, or on the streets.

# MODALITIES AND PATTERNS

## 2. Time of Killing

**11 were killed while engaging in leisure activities**



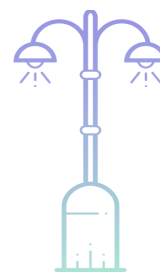
**4 in own residences  
4 in commercial establishments  
3 on the streets**

**27 were killed while doing routine activities or chores**



**6 in own residence  
2 in other people's residences  
3 in public spaces  
16 on the streets**

**6 were killed while walking on the streets**



**4 were killed in police custody**



There were no information on activities of 20 victims: 8 were killed on the streets, 3 in their own residences, 1 in a public space while 8 had no obtainable information on location of killing.

## MODALITIES AND PATTERNS

### 3. Distribution of Documented Killings by City/Municipality

**158 victims  
(87.78%)**

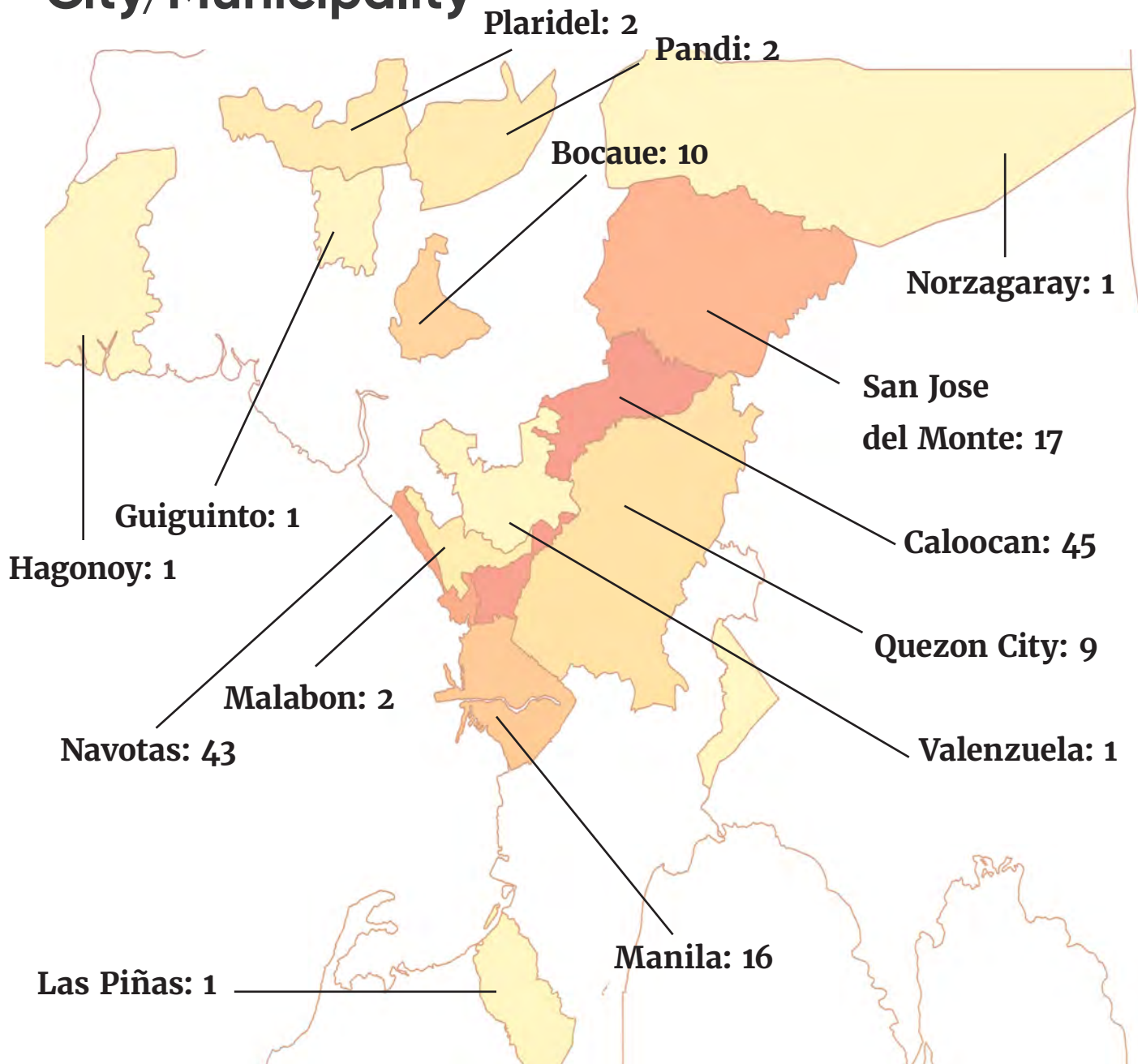
**were killed and were found dead in the cities/municipalities where they resided**

In Rizal, the lone documented victim was killed in Cainta, a town adjacent to his hometown of Taytay. A victim from Navotas City died while in the custody of Malabon police. One victim from Marilao, Bulacan died while in custody of Quezon City police.

Similar to the geographic clustering of the victims' place of residence, most of the acts of killing were perpetrated in impoverished areas such as the informal settlements of Tondo (Manila), Malabon, Navotas City, relocation sites of San Jose del Monte City, Navotas City, and Bocaue (Bulacan). In Caloocan City, Bagong Silang and Tala are the red zones for killings.

# MODALITIES AND PATTERNS

## 3. Distribution of Documented Killings by City/Municipality



The location of killings of twenty-three (28) victims cannot be ascertained by the informants and families. The victims were either found far from their residence or in funeral parlors.

# MODALITIES AND PATTERNS

## 4. Types of Killings According to Alleged Perpetrator

### a. Police operations and Under Police Custody

Under PhilRights' documentation, alleged extrajudicial killings are categorized as 'having occurred during police operations' if:

Police authorities, whether in official uniform or not, introduced themselves as such during the course of the operation b) The police authorities acknowledge (to the media or in official records) that the incident was a police operation.

In comparing narratives, there are contradictions between what the police reports state and what the families say about the conduct of the operations. For example, a case may be reported as a buy-bust operation while the family would assert that the police entered their house without any warrant or sufficient acceptable cause. All of the obtained official reports of police operations conflict with the narratives of the families, from the conduct of the operation up to the evidence recovered.



# MODALITIES AND PATTERNS

## 4. Types of Killings According to Alleged Perpetrator

### **b. Operations Believed to be Conducted by the Police as Alleged by Informants**

Apart from police operations, many killings were also committed under operations by unidentified perpetrators who, informants believe, are police officers. Informants who witnessed the acts of killing claim that the alleged perpetrators are police officers based on their physical attributes and on the witnesses/informants' familiarity with police authorities operating within their communities. The presence of patrol cars nearby and/or the immediate arrival of police officers after the killing bolster these suspicions.

### **c. Operations Conducted by Unidentified Assailants and Riding-in-Tandem Assassins**

Another group of alleged perpetrators involves unidentified assailants, killers riding in tandem. The alleged perpetrators of these killings are usually masked and dressed in black or dark-colored clothing. There are also cases with non-police perpetrators who wear civilian clothes and/or do not hide their faces. Majority of the informants and families have stated that they believe that the unidentified assailants have links with State agents. This is congruent to what Amnesty International has revealed in their **2017 report** where they interviewed hired killers who admitted receiving orders to kill from an active-duty police officer.

# MODALITIES AND PATTERNS

## 5. Number of Documented Victims by Type of Operation



**82 were killed in police operations and under police custody**

- **42 were killed in buy-bust operations reported by the police and/or the media**
- **35 were killed by alleged uniformed police but no information on the type of operation could be obtained**
- **5 were killed in police custody**



**34 were killed in operations believed to be conducted by the police as alleged by the informants**



**64 were killed in operations conducted by unidentified assailants**

- **19 were killed by drive-by riding-in-tandem assailants**

# MODALITIES AND PATTERNS

## 5. Number of Documented Victims by Type of Operation

Location	Police operations and Under Police Custody	Operations Believed to be Conducted by the Police as Alleged by Informants	Operations Conducted by Unidentified Assailants and Riding-in-Tandem Assassins
Bocaue	9	0	2
Caloocan	14	16	25
Guiguinto	1	0	0
Hagonoy	0	1	0
Las Piñas	0	1	0
Malabon	1	1	1
Manila	10	2	9
Navotas	25	4	21
Pandi	1	1	0
Plaridel	1	1	0
Quezon City	7	4	0
San Jose del Monte	11	3	5
Valenzuela	1	0	0
Cainta	1	0	0
Norzagaray	0	0	1

# MODALITIES AND PATTERNS

## 6. Types of Incidents by Number of Victims

**164 EJK incidents documented**

**These single- and multiple-victim incidents resulted in 180 killings**

### a. Single-Victim Incidents

**127 single-victim incidents were documented**

- **52 were police operations or happened in police custody**
- **50 involved unidentified assailants**
- **25 were operations believed to be conducted by police**

### b. Multiple-Victim Incidents

**37 multiple-victim incidents were documented**

- **18 were police operations**
- **12 involved unidentified assailants**
- **7 operations believed to be conducted by police**

The 37 multiple-victim incidents occurred in Caloocan City (16), Navotas City (7), Manila (6), San Jose del Monte City (4), Quezon City (1), Bocaue (1), Pandi (1), and Plaridel (1).

Due to various factors, including lack of access to informants, not all the victims in these 37 incidents have been documented. PhilRights was able to document all 22 victims of nine incidents out of these 37.

# MODALITIES AND PATTERNS

## 7. Number of Alleged Perpetrators

Informants report varying numbers of alleged perpetrators, ranging from one perpetrator to over 20 in the 164 EJK incidents documented.

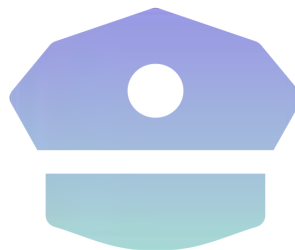


73 incidents involved 1-5 perpetrators  
26 incidents involved 6-10 perpetrators  
8 incidents involved 11-15 perpetrators  
4 incidents involved 16-20 perpetrators  
1 incident involved more than 20 perpetrators  
52 incidents have no estimates on number of perpetrators

Of those cases with identified numbers of alleged perpetrators, on average, five perpetrators were witnessed as having committed or participated in the conduct of the killings.



Average of 7 alleged perpetrators in police operations and police custody



Average of 4 alleged perpetrators in incidents believed to be conducted by the police



Average of 4 alleged perpetrators in vigilante killings

# MODALITIES AND PATTERNS

## 8. Manner of Killing

**171 victims were killed with guns**

**Four of whom were also stabbed**



Informants also shared what they regard as signs of torture on the bodies of their relatives.

- 29 allegedly bore signs of torture
- 3 were alleged to have died of torture alone



**1 victim was stabbed to death  
The manner of killing of five victims could not be determined**

### Signs of Torture Reported by Informants

- Beatings and Bruises
- Mutilated Body Parts
- Broken Limbs
- Missing Fingernails
- Burn Marks
- Cuts and Wounds
- Covering of Body Parts with Adhesive Tapes
- Asphyxiation



# MODALITIES AND PATTERNS

## 8. Manner of Killing

**A victim suffered from 4 gunfire injuries on average**

**60 victims suffered from four or more gunfire injuries**

**One victim had 20 gunfire injuries; he died in an operation that informants allege was conducted by perpetrators believed to be police officers in Plaridel, Bulacan.**

One can argue that the firing of more than one bullet to stop the target from running away or from resisting the arresting police officers is already indicative of undue force.

The use of excessive force is not allowed as stipulated in Rule 7 (Use of Force during Police Operations) of the Revised Philippine National Police Operational Procedures. Rule 7 also specifies the factors to consider in the reasonableness of the force employed, which include the number of aggressors, nature and characteristics of the weapon used, physical condition, size and other circumstances to include the place and location of the assault. Based on the narratives of the informants who were present during the time of killings, the circumstances did not warrant the use of excessive force.

# MODALITIES AND PATTERNS

## 9. Gunfire Injuries

Gunfire injuries are counted individually regardless of whether they are entry or exit wounds.

Of 171 victims killed with guns, 28 victims died from a single gunshot wound. 143 victims sustained multiple gunshot wounds.

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### Head and Neck

Operation Type A: 52  
Operation Type B: 23  
Operation Type C: 54

### Shoulders

Operation Type A: 1  
Operation Type B: 1  
Operation Type C: 5

### Chest

Operation Type A: 25  
Operation Type B: 7  
Operation Type C: 27

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### Back

Operation Type A: 9  
Operation Type B: 4  
Operation Type C: 12

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### Upper Extremities

#### Arms

Operation Type A: 10  
Operation Type B: 4  
Operation Type C: 4

### Abdomen

Operation Type A: 15  
Operation Type B: 1  
Operation Type C: 27

#### Hands

Operation Type A: 3  
Operation Type B: 2  
Operation Type C: 4

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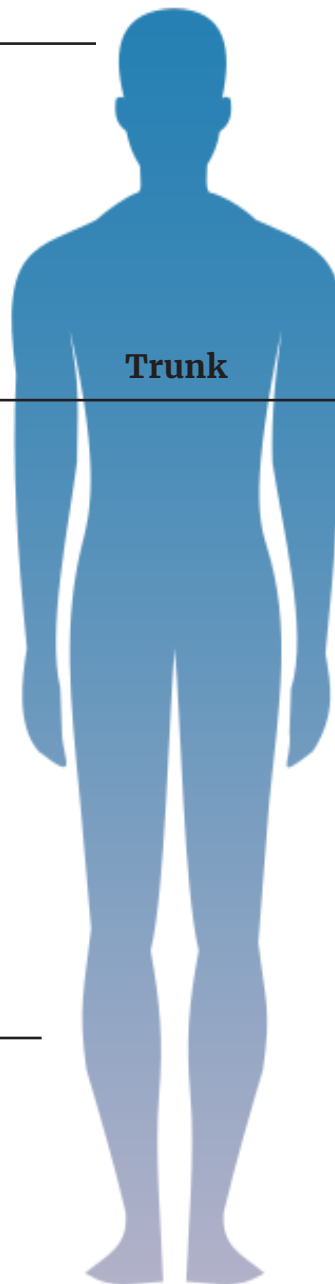
### Lower Extremities

#### Thighs

Operation Type A: 5  
Operation Type B: 1  
Operation Type C: 6

#### Lower Legs

Operation Type A: 3  
Operation Type B: 3  
Operation Type C: 5



The figure shows the cumulative number of gunfire injuries per body part to identify which body parts are commonly hit by the alleged perpetrators. Because one victim may sustain multiple gunfire injuries, the total number of gunfire injuries does not match the number of victims. No information on location of wounds of 29 victims.

NOTE: Type A: Police operations and under police custody | Type B: Operations believed to be conducted by police officers as alleged by the informants | Type C: Operations conducted by unidentified assailants and riding-in-tandem

# MODALITIES AND PATTERNS

## 10. Record of Previous Encounter with Law Enforcement

### a. Arrest and Detention

Seventy-three (73) documented incidents involved victims who had records of arrest while sixty-eight (68) of them involved victims who had records of detention. Reasons of past arrests and detention include violations of local ordinances such as loitering, robbery, illegal gambling, physical injury, homicide, murder, and drug trafficking.



### b. Tokhang (Knock-and-Ask) Record

Twenty-six (26) incidents involved victims who had been visited by an Oplan Tokhang team composed of police officers knocking on houses and asking the identified drug suspect to surrender. Five of them surrendered to the authorities. Three victims underwent rehabilitation activities such as Zumba dance exercises and community work.



# MODALITIES AND PATTERNS

## 10. Record of Previous Encounter with Law Enforcement

### c. Drug Watch Record

Thirty-six (36) of the documented victims were in the official drug watchlist. The informants and witnesses themselves have seen the names of the victims in the watchlist, while some were informed by their barangay officials and/or police officers during the conduct of Oplan Tokhang.



Three victims had records of arrest and detention, had encounters with an Oplan Tokhang team, and were included in the official drug watchlist.

## 11. Cases with Multiple Acts

**Some of the documented victims had experienced other human rights violations before and after the killing.**

### a. Torture

During the interviews, informants shared what they regard as signs of torture on the bodies of their relatives who were killed in furtherance of the government's so-called War on Drugs.



# MODALITIES AND PATTERNS

## 11. Cases with Multiple Acts

“Yung kumuha talaga sa anak niya ay mga pulis. Tapos kung pwede daw sila ay mainterbyu natin kasi ‘yung mga pulis, tinanggalan siya [anak] ng ulo. [...] Pulis ang may kagagawan, opo. Hanggang ngayon, hindi makita ang ulo; katawan lang ang nalibing nila.” – CS, Caloocan City

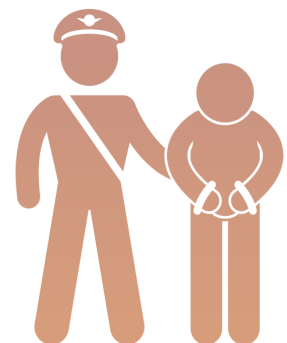
**The son of one mother I am talking to was beheaded in a police operation. Is it possible that their family be interviewed? Because until now, the head could not be found; only the body was interred.**

### **b. Illegal Arrest and Arbitrary Detention**

Nine (9) victims had been arrested illegally and detained arbitrarily. One was allegedly killed while in detention and one was arrested by the police in the barangay hall where he was brought in for alleged intoxication.

### **c. Illegal Search and Ransacking**

There were 10 documented incidents of illegal search and ransacking of houses.



# MODALITIES AND PATTERNS

## 11. Cases with Multiple Acts

### d. Harassment and Threats

Eight victims experienced prior harassment and threats. Some forms of harassment and threats include pointing a gun to the victim and to family members, and death threats if the victims do not obey the alleged perpetrators. Some family members also reported being subjected to sexual harassment.



### e. Bringing Victims to Other Places

Some of the victims in Navotas City, City of San Jose del Monte, Caloocan City, and Pandi were said to be driven around their cities before being killed. The victims were then brought to secluded places such as grasslands and riverbanks where they were killed.





# MODALITIES AND PATTERNS

## 11. Cases with Multiple Acts

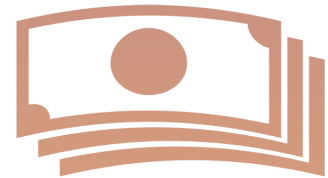
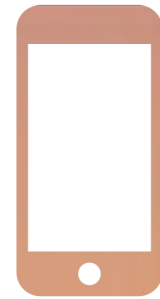
### f. Personal Properties

Twenty-nine (29) victims had their personal properties such as cash and cellular phones missing after the killings, 11 of these 29 were killed in police operations.

Some personal properties of 11 victims were confiscated; of these, nine victims had their belongings confiscated by police officers.

The properties of five victims, such as home appliances and furniture, were damaged or destroyed by the alleged perpetrators.

“Magpa-Pasko po yun eh, pinasok kami ng mga pulis sa bahay. Lahat po ng panghanda namin kinuha po nila—bigas saka gamit ng anak ko. Hinalungkat po nila yung buong bahay namin, lahat ng gamit namin... Hindi po tama ‘yung ginawa nila, lahat po ng ano namin kinuha nila nun. Lahat nung mga de lata namin, ganun po yung nangyari sa amin.” – GR, Navotas City



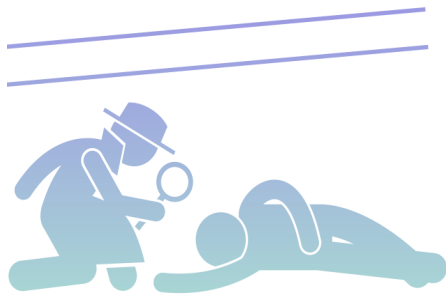
**It was around Christmastime when the police entered our house. All the food for our celebration was taken, including our rice, and even my child’s things were confiscated. They ransacked the whole house, all of our things...They took everything from us; rice grains, the personal things of my child, and even our canned goods were taken. That’s what happened to us.**

# MODALITIES AND PATTERNS

## 11. Cases with Multiple Acts

### g. Perceived Irregularities in Processing the Victims' Bodies

Questionable acts such as the immediate arrival of funeral parlors' personnel and the bringing of dead bodies to hospitals were also documented. Informants and families assert that these acts are ways for alleged perpetrators to tamper with crime scenes, making it more difficult to collect pristine evidence that will eventually stand up to investigations and court cases.



Ninety-eight (98) victims were involved in incidents wherein the funeral parlors were called in by the police officers to collect the bodies, and were immediately present at the site of killing. There were incidents when the Scene of the Crime Operatives (SOCO) and the funeral vehicle arrived together.

Thirty-nine (39) victims were brought to the hospital after being killed; 18 were declared dead-on-arrival. Some of the families questioned the need to bring a victim to the hospital if the death is already confirmed at the site of killing. These sentiments align with a **Reuters special report** that detailed how some hospitals in Quezon City and Manila take in corpses brought by police officers, effectively concealing that the victims were executed.

# MODALITIES AND PATTERNS

## 11. Cases with Multiple Acts

### h. Denial of Medical Intervention

One victim was denied urgent care and treatment at the hospital due to the inability of the family to pay the hospital bills. The victim died shortly thereafter.

## 12. Certificate of Death

These are the causes of death, as written, among the 74 available death certificates of documented victims:

Cause of Death	Tally
“Gunshot wounds”, “Multiple gunshot wounds”, “Gunshot”, or “Gunshot wound” with body part/s	47
“Cardiac arrest”, “Heart attack”, “(Acute) myocardial infarction”, with no stated underlying cause	6
“Shooting incident”	7
“Pneumonia”	3
“Acute respiratory distress syndrome”, with no stated underlying cause	1
“Dead-on-Arrival”, with no stated underlying cause	1
“Blaunt (sic) traumatic injuries”	1
“Hypertension”	1
“Asphyxia”	1
“Septic shock, anemia, multiple skin infection”	1

# MODALITIES AND PATTERNS

## 12. Certificate of Death

With erroneous and insufficient details on the causes of deaths, families will find it difficult to use the death certificates as documentary evidence in legal cases.

“Hindi ko po pina-autopsy po ‘yung anak ko. Tapos ang nakalagay po sa kaniya sa death certificate—nakita ko na lang po yun nung araw ng libing—nakalagay po pneumonia...Hindi sila [punerarya] nagtanong na pneumonia ilalagay. Nakita ko na lang po nung ililibing po siya. Tiningnan ko po ‘yung death certificate niya, ‘Bakit po pneumonia?’ sabi ko. Kasi alam naman po natin na sa baril, ang tama po niyan sa ulo eh. Eh kasi nga daw walang doktor na pipirma doon sa death certificate, ginawan na lang daw nila ng paraan, ‘yun ang sabi.’” – GE, Navotas City

**I didn’t have my son autopsied, and the cause of death in his death certificate—which I only saw on the day of the burial—is ‘pneumonia.’ They [funeral parlor] never told us that pneumonia was to be written in the certificate. I asked, ‘Why pneumonia?’ Because we all knew that the gunshot was clearly to the head. They said that it’s because there was no doctor present to sign the death certificate, so ‘We made do.’**



# MODALITIES AND PATTERNS

## 13. Extortion by the Authorities

Some families reported that they were asked by the SOCO to pay around Php 45,000 before they could retrieve the body. They were told that the payment was for the processing of the body.

“May nagtanong po sa akin na isang SOCO, sabi sa akin, ‘Ma’am ipapa-autopsy po ba ang asawa ninyo?’ ‘Siyempre, natural kasi yun naman po talaga ang protocol hindi po ba?’ ‘Pag may insidenteng ganun, kailangang i-autopsy para malaman yung cause of death.’ Tapos po ang sabi niya, ‘Eh kailangan po kasing magbayad ng Php 50,000.’ Ang sabi ko, ‘Ha? Bakit ako magbabayad ng Php 50,000? Wala akong pera, sige, wag ninyo nang i-autopsy, iuwi ko na lang yung asawa ko, iburol ko na lang.’ As usual po, wala pong ibinigay na remarks sa kanya tungkol diyan, wala pong anuman lang na imbestigasyon sa mga tama ng baril ng asawa ko. Pero nung kinuha ko pa siya noon, nagpabayad pa sakín yung punerarya ng limang libo—hindi ko makuha yung asawa ko kung wala akong limang libo. - SA, Caloocan City

**A SOCO operative asked, ‘Ma’am, are we going to conduct an autopsy on your husband?’ ‘Of course,’ I said, ‘‘t’s only natural since that’s the protocol during incidents like this to know the cause of death.’ And then he said, ‘But you have to pay Php 50,000.’ I said, ‘What? Why would I pay Php 50,000? I have no money - don’t do the autopsy, I’ll just take my husband home and have the wake there.’ As usual, there were no remarks about my husband, no investigation whatsoever was done with regard to the gunshot wounds in his body. But as I was about to take my husband, home the funeral parlor asked me to pay Php 5,000. If I don’t pay them Php 5,000, I wouldn’t be able to bring my husband home.**

# MODALITIES AND PATTERNS

## 14. Involvement of Funeral Parlors

The surge in killings has been generally beneficial for funeral parlors, especially those that are accredited by the PNP Crime Laboratory.

Ninety-eight (98) victims were involved in incidents wherein the funeral parlors were called in by the police to collect the bodies, and were immediately present at the sites of killing.

The families of 40 of the victims struggled to pay the fees for funeral parlors; these funeral parlors were allegedly called by the police or were present in the sites of killings immediately after the incidents.

**Families paid Php 36,000 for funeral services, on average**

**Families were also charged if they wished, for cost reasons, to transfer the bodies to other funeral parlors**

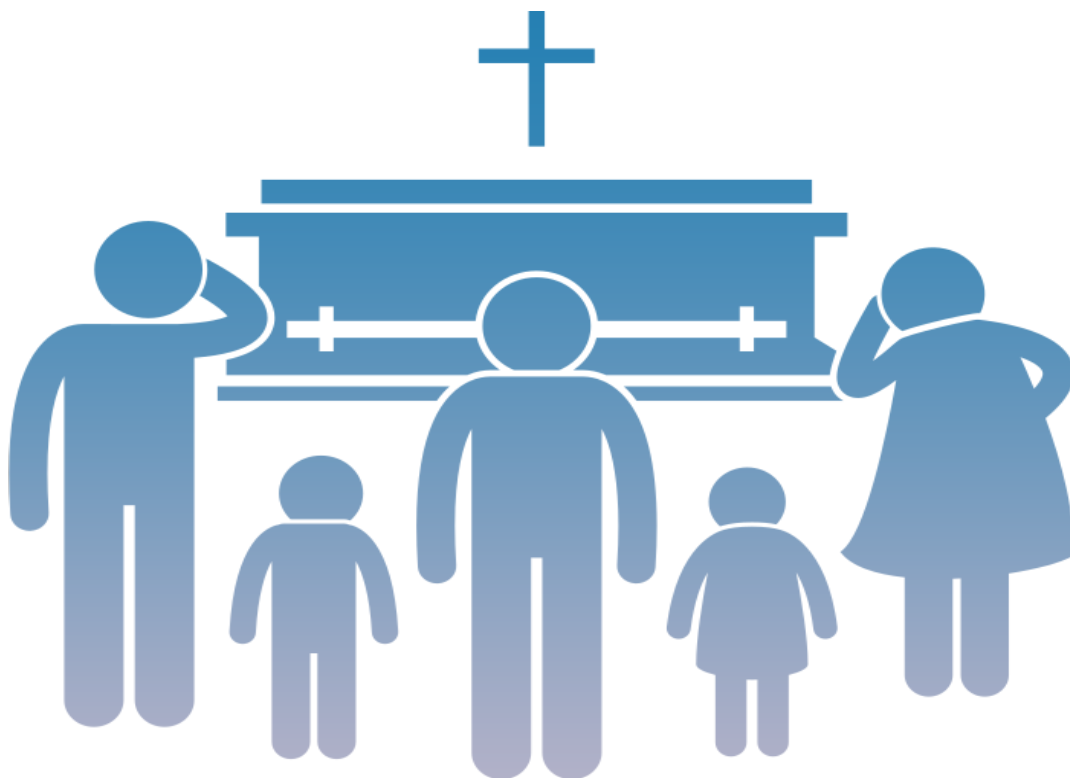
Some families reported that they were asked by the SOCO to pay around Php 45,000 before they could retrieve the body. They were told that the payment was for the processing of the body, conduct of poorly done autopsies, embalming, wakes, and burials.



# MODALITIES AND PATTERNS

## 14. Involvement of Funeral Parlors

Bullets were still found in two re-autopsied victims. None of the families were provided with the results of the autopsies. Some informants also described funeral parlors encouraging families to waive their right to demand an autopsy. Others were convinced to allow the death certificate to not state the real cause of death of the victim, and to not use any death-related documents to file cases. One victim's family was forced to use a barangay vehicle for the funeral procession after failing to complete the payment demanded by the funeral parlor. Families who failed to complete the payment were often met with various forms of harassment and threats.



## 15. Justifications and Narratives of Perpetrators

To justify the use of excessive force and that the killing was indeed necessary, authorities are purveying the self-defense or nanlaban narrative: that the victim initiated the gunfight with the police officers, and that the latter were forced to defend themselves. However, the saturation of the self-defense or nanlaban argument in police reports and resulting media coverage has prompted people to question these claims.

### **33 victims allegedly engaged in gunfights with the police officers during police operations.**

The police reports, which were often the main documentary sources of the media for their news reports, state that the victims fired first. The informants, however, assert that these reports are false.

The official narrative is that the victims (1) were involved in illegal drugs and (2) engaged authorities in a shootout. Guns, usually found on or near the victims' hands, are used as evidence to show that they attacked or fought back. The presence of drugs on the site is used to link the victims to the drug trade.

Despite the claim of the police officers that their operations procedures abide by the law and guidelines, some irregularities have been documented. There were documented cases of police operations where police officers used unofficial vehicles such as unmarked white vans and cars.

## MODALITIES AND PATTERNS

### 16. Evidence Recovered from Victims

# Guns and illegal drugs were said to be recovered from victims



**38 of all the documented incidents had an average of two handguns**



**39 of all the documented incidents had an average of three sachets of illegal drugs, usually shabu or marijuana**

Most of the informants assert that the evidence found on killing sites did not belong to the victims, saying that the victims were too poor to afford guns. For the police operations and some of the operations believed to be conducted by police officers and by unidentified assailants, the informants claimed that the victims were framed and that these pieces of evidence were planted by the perpetrators.

# MODALITIES AND PATTERNS

## 16. Evidence Recovered from Victims

Another modality revealed from the data is the killing of the wrong person because of mistaken identity. There is also the practice of the ‘palit-ulo’ scheme whereby the victim had been substituted for another target just so the alleged quota requirement could be met.



### **7 were victims of mistaken identity**

- **3 were killed in police operations;**
- **1 was killed in operations believed to be conducted by police**
- **3 were killed by alleged vigilantes**

### **2 were victims of ‘palit-ulo’ scheme**

Informants believe that in the conduct of the government’s campaign against illegal drugs, shortcuts are employed, resulting in violations of the right to due process. The extrajudicial nature of the killings of individuals suspected by the police as involved in the drug trade suggest wanton disregard for due process. The execution of individuals upon mere suspicion of involvement in illegal drugs illustrate the impunity by which the right to due process is being violated in the government’s so-called War on Drugs. To accept the claim by the police that most of those killed fought back or nanlaban, which is then used to justify their killing without the benefit of due process, underlines the government’s low regard for the right.

# MODALITIES AND PATTERNS

## 17. Access to Information

**117 families found it difficult to gain access to documents, especially police and medico-legal reports**



Some families who requested reports from the police were told that their requests would be rejected because they might use these documents against the issuing police unit. The families also fear reprisal from the alleged perpetrators if they show any intent to file a case, moreso if they know that the police officers are the alleged perpetrators.

The difficulty of accessing documents hampered the efforts of the families in seeking assistance, often from government agencies and churches that require police reports to validate their assistance requests.

# MODALITIES AND PATTERNS

## 18. Investigations

**Police investigations, which should be mandatory, are rarely done after the incidents.**

**Only 12 families were contacted by police for investigation**

**Most of the families have expressed that they have lost their trust with the justice system**

Some informants allege pressure from the police to name civilian suspects as perpetrators instead of police officers, thereby misleading the investigation. One family was coerced to sign a complaint form that named a civilian as the victim's killer.

The lack of evidence such as CCTV footage due to being compromised or inaccessible has also been an excuse among investigators to discontinue their investigations. The families themselves find it difficult to obtain copies of these evidence which could be used for filing cases against the perpetrators. Many of the witnesses were also afraid to be documented due to fear of reprisal by the perpetrators.

The investigators and police officers also allegedly discouraged families from filing cases. Some families were told that nothing can be done to the cases of the victims because they are already dead, and that there is no point investigating their cases.

# MODALITIES AND PATTERNS

## 19. Post-Incident Threats and Harassment

**Months or years after the killings of victims, some police perpetrators went back to families of their victims to threaten the families or to sow fear in their neighborhoods.**

“May isang case na anak ‘yung pinatay, EJK. A week after mailibing, pinunahan sa bahay, hinahanap ng mga pulis ‘yung same person, ‘yung biktima. So sinabi wala nga, patay na, hukayin ninyo doon—‘Pinatay ninyo tapos hahanapin ninyo?’ And then after a week ulit, ang hinahanap na ay ‘yung tatay mismo. So ‘yung tatay ay nagtago, umalis siya. Nag-lie low muna siya for how many months. Nung medyo kalmado na’t malamig na, saka lang siya nakalutang sa bahay nila. So may mga ganuong cases kasi sa Navotas din na umaalis mismo ‘yung pamilya sa bahay, naoobligang umalis ‘yung pamilya. Kung hindi man, ‘yung lalaki lang sa pamilya para ma-secure na wala nang masusunod sa biktima. So may mga cases na ganoon.” –

LA, Navotas City

**There’s one case where a son was killed—an EJK. A week after the internment, cops came to their house and searched for the victim, for the same person. The family said he’s gone, he’s already dead, go dig his grave. ‘You killed him and now you’re looking for him?’ And then another week had passed, but this time, they were looking for the victim’s father. So, the father went into hiding for months and returned only when the situation eased. So there are cases like that in Navotas wherein the whole family is forced to leave their homes. If not that, then the male member/s of the family stay away so as to avoid being the next victim.**



# MODALITIES AND PATTERNS

## 19. Post-Incident Threats and Harassment

“Nakaburol na ‘yung asawa ko, may mga dumarating pa rin na mga riding-in-tandem and then every eskinita ay pinapasok nila. Natatakot tuloy yung mga nakikipaglamay. Then may incident din po na minsan may dumarating na maraming sasakyan, may mga nakalabas na baril—parang meron silang hinahanap pa. Habang nakaburol ‘yung asawa ko. Kaya po minsan, wala nang nakikipaglamay kasi natatakot po sila. Hindi sila naka-uniporme—mga naka-bonnet, minsan naka-helmet pa, hindi nagpapakilala. Pero hindi sila lumalapit sa akin o kaya doon sa burol ng asawa ko, hindi sila lumalapit. Parang may hinahanap lang sila.”

– SA, Caloocan City

**During my husband’s wake, some riding-in-tandem units still came to our neighborhood. They entered every alley so people attending the wake were terrified. There was also a time when a lot of cars came. They had guns and seemed as if they were looking for someone. As a result, nobody wanted to come to the wake. They [police] were not wearing their uniforms; they were wearing helmets and bonnets, and they were unidentifiable. They never came near me, but they do seem to be looking for something or someone.**

# MODALITIES AND PATTERNS

## 19. Post-Incident Threats and Harassment

Some of the alleged police perpetrators went back to the families of victims to ask for documents, saying that they would help them in legal actions. However, the families see this action as a way for the police perpetrators to confiscate the documents kept by the families, so that the families lose evidence should they decide to pursue a legal case.

“Dito po sa amin may pumuntang mga pulis, siyam sila. Hinihingi death certificate ng anak ko saka police report, kasi tutulungan daw nila akong magdemanda. Ang sabi ko, ‘Sana noon pa. Bakit ngayon lang?’ Hinahanap talaga nila sa’kin yung death certificate at police report. Parang nagalit na ako, ang sabi ko, ‘Huwag na kayong maghanap, pinasunog na ‘yun ng imbestigador ninyo—inutusan akong sunugin.’ Ako naman sumunod, para makuha ko lang anak ko sa kanila. Hindi lang ako, halos kaming lahat dito, pinuntahan kaming halos lahat dito. Tapos apat na araw [ang lumipas], [may] bumalik na naman sa’kin na limang pulis kasi gustong-gusto talaga nilang kunin. Kung may medical daw ako, kunin din daw nila.”

- CS, Caloocan City

**Here, nine police officers approached us. They were asking for the death certificate and the police report of my child because, according to them, they will help me file a case. I said to them, ‘What for, and why only now?’ I got mad, and said, ‘Don’t bother asking for it since your investigator already told me to burn the documents.’ I obeyed just so I can retrieve my child’s body from them.’ This did not just happen to me, almost all of us here were approached. Four days had passed and five cops returned, they really want to get [the documents]. If I have a medical [report], they said, they would also get it.**

# MODALITIES AND PATTERNS

## 19. Post-Incident Threats and Harassment

“Hinihingan ako ng death certificate kasi tinatanong ‘yung pamangkin ko kung merong death certificate. Ang sabi ko, meron. Hinihingan nila ako para matanggal daw sa watchlist. Eh ang alam ko po, wala naman sa watchlist ang pamangkin ko dahil nung kumuha po ako ng police report sa main police station sa Caloocan, wala po sa masterlist nila yung pangalan ng pamangkin ko. Kaya hindi ko po sila binigyan. ‘Yun lang naman sinabi nila, para ipa-report lang daw na kailangan makapagbigay ako ng death certificate sa kanila— binabalikan talaga nila. Eh sabi ko, wala akong ibibigay sa inyong death certificate. Kung gusto ninyo, pumunta kayong sementeryo, piktyuran ninyo na lang doon.”

– R, Navotas City

**They were asking for my nephew’s death certificate. I told them that I have it. According to them, they need the death certificate to remove him from the drug watchlist. But as far as I know, my nephew’s name wasn’t in the watchlist because when I went to request a police report at the main police station of Caloocan, his name was not there. That’s all they said, for us to report and submit the death certificate—they really do come back. I said if they really wanted to, they could take a photo of his plot in the cemetery.**





**PART 2**

**FINDINGS:**

**OTHER**

**GROSS**

**VIOLATIONS**



## OTHER GROSS VIOLATIONS

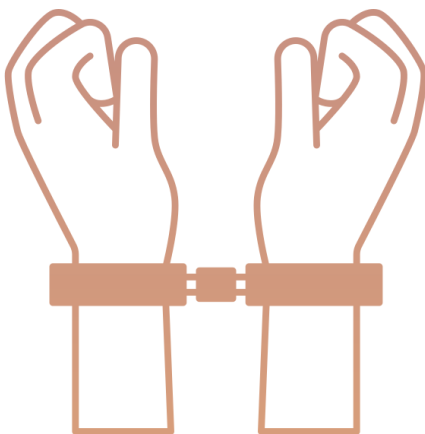
Aside from EJKs, PhilRights has also documented other gross violations such as frustrated EJKs, illegal arrests and arbitrary detention that did not result in death of the victims, and enforced disappearances that happened from May 2016 until July 2021.

### A. Frustrated EJKs



Four victims of alleged frustrated extrajudicial killings were documented. Two victims, together with their families, sought sanctuary for their protection; one of them decided to return to their community. Two victims relocated to the provinces.

### B. Illegal Arrests and Arbitrary Detention



Thirty-six (36) victims of illegal arrests and arbitrary detention have also been documented. Twenty-eight (28) of the victims were males and eight (8) were females. Six (6) were children (17 years old and below), twenty (20) were young adults (18–35 years old), and twelve were adults (36–59 years old).

The youngest documented victim of illegal arrest and arbitrary detention was only four years old.

# OTHER GROSS VIOLATIONS

## B. Illegal Arrests and Arbitrary Detention

Amidst the claim of the government that they have brought the drug suspects before the law through arrests and encouragement of “voluntary surrender,” unlawful acts are still being committed. These acts violate the rights of the accused.

### **An illegal arrest and arbitrary detention is characterized by any of the following:**

1. Having no warrant, except for crimes in flagrante delicto
2. Harassment, torture, and sexual abuse
3. Not informing of and disrespecting the Miranda rights of the accused; forcing the accused to self-incriminate or plead guilty of the crime
4. Withholding the necessary information on the cause of arrest and detention and identities of the arresting officers
5. Forcing the accused to give his/her personal information and fingerprints and be taken with mugshots without undergoing the proper procedures
6. Blindfolding and use of improvised handcuff
7. Arresting officers not wearing uniform and without proper identification
8. Improper chain of custody
9. Use of unofficial vehicles
10. Detention without permission to seek legal counsel
11. Extortion
12. Arrest of minor/child below the age of criminal responsibility
13. Other acts not permitted by the police guidelines and by the law



# OTHER GROSS VIOLATIONS

## B. Illegal Arrests and Arbitrary Detention

**Some of the victims also experienced confiscation of their personal properties during the conduct of arrest.**

“Naghalughog po sila sa dati naming tinirhan. Bigla na lang po silang pumasok tapos tinanong ko po sila kung bakit nga po sila naghahalughog at kung may search warrant po sila, ganun. Tinutukan po ako nung isang pulis ng baril sa mukha. Kaya imbis na mag-react ako, hindi na po ako nakapagsalita, nanahimik na lang ako. Ayun naghahalughog na po sila, kinukuha nila ‘yung mga gamit na mapapakinabangan po nila...Nag-o-online business po kasi ako, so ‘yung pambili ko po dapat, yung pang-Divisoria, ‘yun po ‘yung kinuha nila. Kinuha nila worth Php 10,000 po. Tapos pati doon po sa katabing bahay namin—yung mga silver-silver nila, ta’s ultimo pakuluan ng tubig, kinuha rin po nung mga pulis.” – MN, Malabon City

**They ransacked my old house. They forcibly entered and when I asked them why they were ransacking my house and if they had a search warrant, a cop pointed a gun at my face. So instead of speaking up, I kept quiet. They took a lot of valuable things...I was pursuing an online business back then, so the money to sustain my business, for buying goods from Divisoria, was also taken. This was worth Php 10,000. They also took valuable things from our neighbor—the cops took their silver jewelry and even their water kettle.**

## OTHER GROSS VIOLATIONS

### B. Illegal Arrests and Arbitrary Detention

**30 cases  
documented  
in Bulacan and  
Metro Manila**

**These are pandemic  
-related alleged  
illegal arrest and  
detention violations  
documented between  
March 2020 and July  
2021**

- 26 are males
- 3 are children
- 22 are young adults (18–35)

The number of arrests and detentions has continued without letup even during the implementation of pandemic-related restrictions.

The most common violations to pandemic restrictions that led to arrests and detentions include staying outside of the house for a prolonged period of time, not wearing face masks outside, curfew violations, gatherings, and violations to the liquor ban. The punishment and fines, however, do not necessarily compensate fairly for the violations committed. Many forms of punishment, for example, aim to humiliate the offender while the fines cost thousands of pesos which severely increase financial burdens experienced by the families.

# OTHER GROSS VIOLATIONS

## B. Illegal Arrests and Arbitrary Detention

“Kapag nahuli kang walang mask at nasa labas ka ng bahay, huhulihin ka at magmumulta ka ng Php 7,000.”

– AB, Senior Citizen, Guiguinto

**If you are caught not wearing a face mask outside of your house, you’ll be arrested and be fined Php 7,000.00.**

The enhanced power given to the police and the military has appeared to have weaponized them to arrest and detain people arbitrarily without undergoing through the process such as serving of warrants.

“Nagkaroon po ng buy-bust operation ‘nung April 22 [2020], at isa po ang asawa ko sa nahuli dahil nandoon po siya sa bahay ng kaibigan niya na ni-raid. Mahirap po (sa ngayon) kasi walang pinagkukunan ng pambili ng pagkain. ‘Di na din po nadadalaw ang asawa ko sa kulungan at hindi na din po nadadalhan ng pagkain sa kulungan.”

– RM, Bocaue

**A buy-bust operation happened on April 22 [2020], and my husband was among those arrested because he was in the house of his friend where the raid happened. We find it difficult now because we can’t find any money to buy food. We also can’t visit him in jail and bring him food there.**

## OTHER GROSS VIOLATIONS

### C. Enforced Disappearance

**9 alleged victims were documented**

**None have been found as of this writing.**

- **7 males**
- **2 females**
- **1 was a minor at the time of enforced disappearance**

One (1) victim was below 18 years old, six (6) were young adults (18–35 years old), and one (1) was an adult (36–59 years old). There is no information on the age of one victim.

Instead of being assisted, families of victims of enforced disappearance were often instructed by the police officers they approached to look for their family members in funeral parlors.





## **PART 3**

# **CONCLUSIONS AND RECOMMEND- ATIONS**



# CONCLUSIONS

President Duterte has made it clear from the very start that he intended to use his presidency to further the kill policies he instituted as mayor of the city of Davao. **The so-called war on drugs, put in place in 2016, has precipitated a full-blown human rights crisis** that has expanded to include wide-ranging attacks against human rights defenders, activists, critics, members of progressive organizations, the mass media, and the basic sectors.

**The so-called war on drugs is a war against the poor.** The victims documented have mostly come from the urban poor sector. Their profile tends to be that they are male adults, who are often family breadwinners, earning low and/or irregular wages.

The so-called war on drugs is a gross failure on the part of the State to guarantee due process and afford protections against misuse of force by State security agents. Worse, there are efforts by the police to harass, pressure, or at the very least discourage families of EJK victims from filing cases and complaints against perpetrators.

**There is also clear intent to muddle the truth about the implementation of this so-called war on drugs.** Apart from insisting on the nanlaban narrative—where police and government officials claim that those killed fought back—there are also documented cases of erroneous or misdeclared information on death certificates of EJK victims.



# CONCLUSIONS

The sheer number and violence of these killings, occurring since 2016, have created a culture of fear and insecurity in many urban poor communities. This highlights one important fact about the so-called war on drugs: **the impacts of EJKs are multidimensional and interrelated.** Families left behind reported deterioration in the quality of life, especially in terms of livelihood, food security, physical and mental health, and children's education.

The use of terror tactics in the form of threats and harassment have proven to be effective in sowing fear and silencing sections of the population. This administration has painted a negative picture of human rights and human rights defenders in rhetoric and action. **At work is a wide-ranging application of President Duterte's core principle of governance, which is based on violence.** By framing civic participation as a destabilizing force, painting a broad red brush against individuals and groups who dare to bare the truth about the abuses and violations occurring in many parts of the country, and weaponizing the law against civil society and the media, civic spaces in the Philippines have essentially shrunk to conditions comparable, if not worse, to the Martial Law era.

We are in a human rights crisis, one that has caused and is continuing to cause suffering and will have manifold impacts in the years to come. **The damage, not only on the meltdown of democratic safeguards but also on civic behavior, will be long-term.**

**The challenge for the human rights community and the State through the new administration after the 2022 elections is staggering.** There is an urgent need to restore and rebuild the human rights culture that has been torn down by President Duterte's kill policies and exact accountability against those who have perpetrated human rights violations.

# RECOMMENDATIONS

To the government to put an immediate end to the current campaign against illegal drugs and its kill policies amidst the pandemic. In its place, the government should take seriously the proposals from various sectors for a public health and harm reduction-based framework for addressing the drug problem and the pandemic. Consultations with experts on these frameworks are critical in shaping a human rights-based solution to these problems.

To the President to disavow all his previous statements inciting violence against drug suspects and alleged violators of pandemic measures and supporting the excessive use of force in police operations.

To the Philippine National Police to revoke all issuances pertaining to the campaign against illegal drugs and COVID-19 which have directly and indirectly led to human rights violations. Also, that all police operations henceforth be guided by principles and standards of international human rights law.

To the Justice department to conduct more comprehensive and more transparent investigations into the conduct of the anti-drug campaign and enforce accountability through prosecution for human rights violations committed, regardless of the perpetrators' position and rank.

To civil society organizations to redouble all efforts to document, assist, educate, and organize community stakeholders and families of victims towards claiming and defending their rights.

# RECOMMENDATIONS

To the media, to sustain reporting on the anti-drug campaign and the pandemic and to expand reporting to more meaningfully include the voices and stories of those most affected. Given that media workers are also under threat, to ensure stronger cooperation and identify more areas for dialog to ensure that the important work of bringing accurate information to the public remains viable.

To academic institutions to integrate the study of human rights, its history, concepts, and principles, into the curriculum. This act is key to countering the ongoing distortion of human rights. In the face of worsening human rights conditions, building a human rights culture through the education of our youth is critical.

To research institutions to continue to engage meaningfully with the task of recording, interpreting, and analyzing the many dimensions of this war against human rights. The need for accurate, nuanced, and in-depth information and their popular dissemination is greater than ever.

To the international community to exercise all legitimate means of engagement to influence the Philippine government to put a stop to its campaign against illegal drugs, and more broadly, to compel the Philippine government to honor its obligation that all human rights of all are respected, protected, and fulfilled according to international norms and standards. The United Nations Human Rights Council (UNHRC) is called upon to launch an independent and impartial investigation through a fact-finding mission or a Commission of Inquiry to surface the truth of these violations. Likewise, the International Criminal Court (ICC) is asked to continue their ongoing investigation into the Philippine situation, reject the Philippine government's efforts to deflect accountability, and speed up the process involving the alleged crimes against humanity committed under the so-called war on drugs.

## RECOMMENDATIONS

To the public to offer support for victims and their families and to assert their rights and remain vigilant against the imposition of anti- human rights and anti-democratic policies.

**The war against  
human rights is  
a war against all—  
the people must  
prevail.**





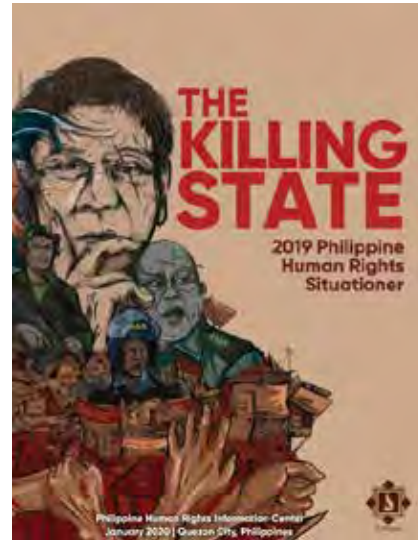


## THE KILLING STATE SERIES

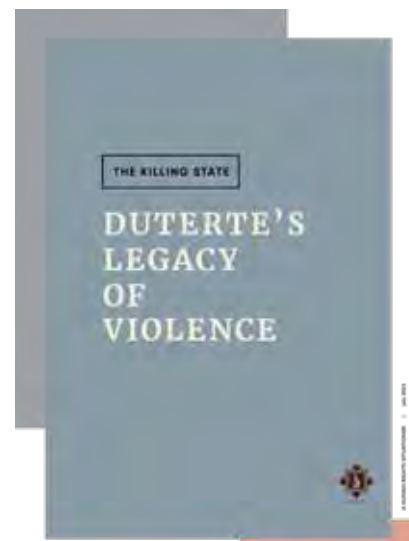


### **The Killing State: The Unrelenting War Against Human Rights in the Philippines**

Findings of the 2017–2019 Documentation of Extrajudicial killings (EJKs) committed under the so-called War on Drugs of the Duterte Administration (September 2019)



### **The Killing State: 2019 Philippine Human Rights Situationer**



### **The Killing State: Duterte's Legacy of Violence [2021]**

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# THE KILLING STATE



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