

PANTAO REPORTS

We Turn the

Tide

Seeking Justice amidst a Human Rights Crisis

Findings of the 2017-2022 Documentation of Extrajudicial Killings (EJKs) and Other **Human Rights Violations Committed** under the So-Called War on Drugs

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Monitoring and Documentation of EJKs and Other Human Rights Violations

FROM THE TIME Rodrigo Roa Duterte assumed office as the 16th president of the Philippines in 2016, there has been a significant increase in human rights abuses in the country. His centerpiece policy, known as the so-called *war on drugs*, has led to the deaths of thousands of Filipinos and the infringement of rights for thousands more.

Inaction, injustice, and the perpetration of human rights violations continue under the new Marcos Jr. regime. Even as blood-soaked news reports of police operations gone wrong have dwindled in recent years, cases of killings, illegal arrests, arbitrary detention, and enforced disappearances continue to occur in most hotspots.

The flagrant refusal of the now year-old Marcos Jr. administration to engage meaningfully in pursuing justice for those slain and in overhauling a massively corrupt and systemically abusive law enforcement culture that has caused so much suffering is an appalling betrayal of the State's obligation to uphold the rights of its citizens.

In some ways, inertia has set in. The shock and awe of the campaign's early years have been replaced by a numbed acceptance of a culture of violence so normalized that they rarely end up splashed on screens and newspaper front pages anymore.

In this report, we present the findings of the Philippine Human Rights Information Center's (PhilRights) monitoring and documentation activities covering cases of alleged human rights violations committed under the so-called war on drugs from July 2016 to December 2022.

This report, five years in the making, covering six years of cases documented from eight hotspots, is but a snapshot of the extensive harm caused by the so-called war on drugs. Indeed, the pressing duty of recording instances of violations, ensuring they are not forgotten by the public, and collecting evidence that can be utilized for exacting accountability remains more urgent than ever.

Kayâ naman, magpapatuloy tayo.

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.

¹ United Nations Publications, *The Minnesota Protocol* on the Investigation of Potentially Unlawful Death (2016) (New York: United Nations Publications, 2017), accessed July 12, 2023, https://www.ohchr.org/sites/default/files/Documents/Publications/MinnesotaProtocol.pdf.

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

2016

May:

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

June:

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



"Rodrigo Duterte made his name as the crime-busting mayor of Davao City. His two decades of power there coincided with a reign of terror by vigilante death squads." – ABC News





July:

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

Duterte said in his first SONA, "Kayo namang hindi pa bungog diyan, hindi pa pumasok iyang mga droga, kung ayaw ninyong mamatay, ayaw ninyong masaktan, 'wag kayong umasa diyan sa mga pari, pati human rights, hindi nakakapiqil '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:

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

September:

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 bloody drug war, assumed the post.

Four farmers were killed in Laur, Nueva Ecija by armed goons linked to a former mayor.

"Sen. Leila M. De Lima in a privilege speech decried the latest spate of killings targeting alleged drug pushers and drug personalities, which she says disregards a person's basic right to due process guaranteed to all under the Constitution." – Senate Philippines





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

November:

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

December:

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

"The human rights situation in the Philippines worsened in the second half of 2016 since President Rodrigo Duterte assumed office, the European Union said in its annual report on human rights and democracy in the world." – Philstar Global



2017

January:

The National Bureau of Investigation (NBI) confirmed that some 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:

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

"PNP Director General Ronald dela Rosa said the new war was in line with Executive Order (EO) No. 13 issued by President Duterte." – Inquirer.net



March:

Oplan Tokhang resumed.

Three farmers were massacred by alleged state forces in Compostela Valley.

April:

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

Three red-tagged farmers in Milagros, Masbate were nabbed, tortured, and extrajudicially killed by alleged state forces.

Four homes in Kawayan, Masbate were strafed with bullets by alleged military agents killing a 70-yearold woman and two of her grandchildren. Two others were wounded.

May:

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

"The Office of the Ombudsman has dismissed criminal and administrative complaints filed by the Commission on Human Rights against Manila policemen for supposedly maintaining a secret detention facility in Tondo for arrested suspects." – ABC-CBN News

June:	July:	August:
The Philippine Drug	Martial Law in Mindanao was	Seventeen-year-old Kian
Enforcement Agency (PDEA)	extended to until the end of	Lloyd delos Santos was killed
claimed that around 50%	2017.	by Caloocan City officers.
of all the barangays in the		The encounter was caught
country were drug-affected.		on CCTV cameras and
		caused widespread public
		condemnation.
		Bulacan City police officers
		conducted a "One Time Big
		Time Operation" leading
		to the killings of 32 people
		and the arrests of 109 drug
		suspects.
		Four red-tagged senior
		citizens were tortured and
		killed by alleged police
		agents in San Nicolas,
		Pangasinan.



Se	pt	em	be	r:

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:

PDEA took over the antiillegal drug operations. The implementation of Oplan Double Barrel was once again suspended.

The Philippine Army declared the Marawi conflict has ended.

November:

The 31st ASEAN Summit was held in Clark Freeport Zone in Angeles City, Pampanga.

"Duterte cited allegations of his involvement in the smuggling of billions of crystal methamphetamine, locally known as shabu, and family problems in his decision to relinquish the city's second highest office effective December 25." – Philstar Global "The Ateneo study showed that such component of the drug war has been violating human rights. The campaign has been associated with questionable slays." – ABS-CBN News



December:

Duterte signed the Tax
Reform for Acceleration and
Inclusion (TRAIN) Law.

2018

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.

Seven indigenous peoples from the T'boli and Dulangan Manobo tribes were mistaken as rebels and killed by suspected military elements in Lake Sebu, South Cotabato.

January:

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:

The International Criminal Court (ICC) launched its inquiry on the alleged crimes against humanity committed in the name of the so-called drug war.

March:

Duterte ordered the withdrawal of the Philippines from the ICC.

April:

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

Three red-tagged farmers were killed by alleged state forces in Bato, Camarines Sur. Five other farmers, including a minor, were arrested for rebellion charges.

"The sheer existence of the ICC has had a strong positive impact.
In some countries where the Court has been active, most notably in Colombia, it has helped bring about peace." – New Atlanticist

"Slain Tanauan City mayor Antonio Halili was buried late Sunday afternoon, July 8, at the Loyola Gardens of Tanauan in Batangas." – Rappler



May:

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). In April,
Sereno maintained that she
had filed all her SALNs in the
past.

Barangay and Sangguniang Kabataan (SK) elections were held.

Three farmers were reportedly taken, tortured, and buried alive by state forces in Ragay, Camarines Sur.

June:

PNP proposed to conduct drug tests in schools.

July:

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



August:

The inflation rate was at 6.4%, causing further financial strain for Filipinos.

"Empeño and Cadapan were abducted in the coastal town of Hagonoy, Bulacan province, on June 26, 2006, while conducting research for a school requirement."

— Inquirer.net

September:

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

Seven youth of Patikul,
Sulu who were gathering
lansones, durian, and
mangosteen were massacred
by suspected soldiers.
Residents decried the
military's narrative that it
was a legitimate encounter
with the Abu Sayyaf.

October:

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



November:

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 Securities and Exchange
Commission (SEC) issued
Memorandum Circular No.
15, series of 2018 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:

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.

Six farmers were massacred and 27 arrested for trumped up charges by combined police and military forces in Guihulngan, Sta. Catalina, and Mabinay in Negros Oriental.

"In the last week of August, following Malacañang's defense that terrorism and rebellion will remain a threat in the midst of the health crisis, lawmakers said they will oppose the budget increase."

– Inquirer.net



2019

January:

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

Peace advocate Randy Felix Malayao was shot dead inside a bus in Aritao, Nueva Vizcaya by unidentified gunmen.

February:

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

"A majority or 63 percent of the respondents said minors should be jailed for rape while 22 percent disagreed. More than half or 59 percent agreed that minors who killed someone should be jailed, while 24 percent said otherwise." – Philstar Global



"Pasig police officers served the warrant of arrest the moment that Ressa deplaned at the Ninoy Aquino International Airport (NAIA) Terminal 1. Police officers took Ressa and her lawyer on board their police car." – Rappler

The Philippines officially	
withdrew from the	

International Criminal Court.

March:

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

The spate of killings in Negros Occidental worsened. Fourteen farmers were massacred by alleged State forces across Canlaon City, Manjuyod, and Sta. Catalina towns.

April:

The Supreme Court ordered the release of drug war documents.

May:

General midterm elections were held.

June:	July:	August:
Fishing boat F/B Gem-Ver	The United Nations Human	The questionable
was rammed by a Chinese	Rights Council (UNHRC)	implementation of Good
vessel in Reed Bank on the	adopted a resolution	Conduct Time Allowance
West Philippine Sea.	spearheaded by Iceland	(GCTA) on high-profile
	to look into the drug war	convicted personalities was
A labor organizer was	killings in the country.	revealed.
shot dead in Cavite by an		
unidentified man riding a	Four separate incidents of	
motorcycle.	killings by armed men were	
	reported in Negros Oriental	
	which included a barangay	
	chairman in Guihulngan City,	
	a resident of Ayungon, and a	
	father and his one-year-old	
	son in Sta. Catalina.	

"Since the modernization plan was first introduced in 2017, Piston and other transport groups have maintained their stance that rehabilitating public utility vehicles would be more cost-effective than replacing them." – Rappler



September:

Transport groups held a nationwide strike against jeepney phaseout proposals.

October:

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

November:

Duterte appointed Vice President Leni Robredo as co-chairperson of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD). "The Department of Health (DOH) on Sunday warned the public of possible health risks of exposure to volcanic ash after Taal Volcano spouted a giant ash column." – Inquirer.net



December:

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

2020

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

The SEC issued Memorandum Circular No. 25, series of 2019, 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.

January:

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 to decline.



February:

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

Ten union organizers were arrested by police in Caloocan after staging a labor strike.

March:

Luzon was placed under enhanced community quarantine as a measure against the spread of COVID-19, while the 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 were reported.

April:

Government sessions and meetings started being held online.

A partylist lawmaker and 6 relief volunteers were arrested without warrant and illegally detained after conducting relief operations in Norzagaray, Bulacan.

Nineteen vegetable vendors were arrested by police in Quezon City amid the enhanced community quarantine.

Twenty individuals were arrested in Quezon City while in a protest demanding food and financial aid during the COVID-19 lockdown.

"Despite the label, it doesn't entail any strict stay-at-home measures. But it does require the continuance of health guidelines like mask-wearing, physical distancing, and frequent handwashing." – Rappler



May:

Police arrest two workers in Rizal who participated in a Labor Day protest for allegedly breaking enhanced quarantine protocols.

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.

Five farmers were redtagged, nabbed, and murdered by suspected police and military forces in Sorsogon. One was an ailing elder and another had a mental health disorder.

June:

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

Six jeepney drivers, including a 72-year-old, were arrested in Caloocan City for protesting against the government ban against public utility vehicles.

Twenty members of the LGBTQIA+ community were arrested by police after conducting a Pride march in Mendiola.

July:

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.

Police arrested an urban poor community leader without warrant and copies of alternative newspaper Pinoy Weekly were seized.

"Members of the Anti-Terrorism Council are the executive secretary, national security adviser, defense secretary, foreign affairs secretary, finance secretary, interior secretary, justice secretary, information and communications technology secretary, and the Anti-Money Laundering Council secretariat."



"The continued shutdown of ABS-CBN, the biggest broadcast network in the Philippines, mirrored an entangled 3 branches of government, with the judiciary proving to be passive." – Rappler

August:

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

Human rights defender Zara Alvarez was gunned down in Bacolod City by unknown individuals.

Nine motorcycle-riding farmers were hailed and gunned down by armed men believed to be linked to the local police in North Cotabato. Eight died on the spot and one died on arrival at the hospital.

Peace consultant and peasant advocate Randy Echanis was murdered by unidentified men inside his apartment in Quezon City.

September:

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

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

A farmer and two barangay employees were nabbed by suspected military agents in Cawayan and Baleno, Masbate. After a few days, their corpses resurfaced and red-tagged as casualties to an encounter between the state forces and rebels.

October:

The UNHRC adopted
Human Rights Council
(HRC) resolution 45/33
which specified areas for
capacity-building and
technical cooperation for the
promotion and protection
of human rights in the
Philippines. Human rights
groups welcomed the move
but insisted that stronger
approaches are needed.

The country was ravaged by Typhoon Molave (Quinta) and Super Typhoon Goni (Rolly).



"A woman and a child walk on debris brought by the flood following Typhoon Ulysses, in Rodriguez, Rizal province, Philippines, November 13, 2020." – Reuters

November:

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:

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

As the nation commemorated International Human Rights Day, six union organizers and a journalist were arrested by police on fabricated charges of illegal possession of firearms and explosives.

Nine indigenous peoples from the Tumandok tribe were massacred by alleged authorities after being redtagged for opposing the construction of the Jalaur Mega Dam in Panay Island.

Five civilians working in a mango field in Baras, Rizal were red-tagged and gunned down by alleged police agents. Families of the deceased decried the difficulty of obtaining the corpses.



2021

January:

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:

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

"Lagman contended that the DND's unilateral abrogation of the pact is 'illegal and void ab initio' as the agreement was entered into bilaterally and mutually." – Philstar Global



March:

Nine human rights defenders were simultaneously killed by alleged state forces in the CALABARZON region in what was dubbed as "Bloody Sunday."

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

Labor leader Dandy
Miguel, while riding his
motorcycle, was shot dead by
unidentified men in Calamba,
Laguna.

April:

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 persons have been killed in alleged anti-drug operations.

Maginhawa community pantry founder Ana Patricia Non was red-tagged by the police igniting uproar in social media.

May:

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

"The police conducted simultaneous raids early Sunday moring to serve search warrants on activists in Batangas. Cavite, Rizal and Laguna. The police said teams killed activists who had fired on them first, a common narrative in police operations, including those in the 'war on drugs.'"

- Philstar Global



June:

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:

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

An agreement was signed to initiate the first ever national level UN joint program on human rights. The joint program is intended to provide technical assistance to the government to investigate and prosecute unlawful killings. The program will take three years.

Malacañang extends
OceanaGold's financial
or technical assistance
agreement (FTAA) until
2044 which resumed mining
operations in Didipio, Nueva
Vizcaya.

"In his final State of the Nation Address (SONA) on Monday, President Rodrigo Roa Duterte highlighted the government's initiatives in the quest to eradicate communist terrorism across the country by bringing long-term and sustainable solution and basic services to communities in need." – Philippine Information Agency



August:	October:	December:
Unemployment rate was at 8.1%.	Rappler CEO Maria Ressa was awarded the Nobel Peace Prize on freedom of	Republic Act 11596 which criminalizes child marriage was enacted into law.
	expression.	Typhoon Odette struck a large area of Mindanao and Visayas.

"The death toll from the strongest typhoon to batter the country this year climbed to 375, with more than 50 others still missing and several central provinces struggling with downed communications and power outages and pleading for food and water, officials said Monday." – The Manila Journal



2022

January:

The excise tax on alcohol products, electronic cigarettes, and heated tobacco products was increased.

February:

16 organizations were redtagged by the Anti-Terrorism Council as part of the implementation of the Anti-Terror Law.

Five volunteer Lumad teachers were massacred by alleged state forces in New Bataan, Davao de Oro.

"Chad Booc, Gelejurain Ngujo II were part of a team doing field research on the situation of the Lumad schools before they and three others who assisted them were killed by the military." – Davao Today



March:

The age of sexual consent was raised to 16 from 12 through Republic Act 11648.

April:

All motions for reconsideration against the Anti-Terror Law were denied by the Supreme Court with finality.

May:

CHR declared climate change as a human rights issue in its report to the first National Inquiry on Climate Change (NICC).

National elections were held in which Ferdinand Marcos Jr. and Sara Duterte were elected as the president and vice-president, respectively.

"Environmental advocates from Philippine Movement for Climate Justice (PMCJ) and other networks criticized the government during their protest for its supposed negligence in responding to climate issues. Activists said government officials should also be held accountable."

– ABS-CBN News "The Marcos family has returned to Malacanang Palace, home to Philippine presidents, after a 36-year absence." – Nikkei Asia



June:

The National
Telecommunications
Commission (NTC) orders the
blocking of websites of redtagged alternative media
organizations.

The Securities and Exchange Commission (SEC) affirmed its decision to revoke the certification of Rappler.

Eighty-three farmers and peasant advocates were arrested by the police without warrant and charged with fabricated cases after conducting collective farming in Hacienda Tinang, Tarlac.

ICC Prosecutor Karim Khan requested to resume the investigation into the Philippine situation after the Philippine government failed to prove that it has been genuinely investigating the crimes committed in its so-called drug war, including those committed in Davao City when former President Duterte was the city mayor.

July:

Ferdinand Marcos Jr. was inaugurated as the 17th president of the country.

Marcos Jr. delivered his first SONA. He ruled out the possibility of the country rejoining the ICC.

The Philippines is among countries with the highest rate of "learning poverty" in East Asia and the Pacific according to a World Bank report.



August:

Walden Bello was arrested for cyber-libel charges. He then posted bail.

Schools nationwide started to hold face-to-face classes.

September:

Wearing of face masks starts to become voluntary in outdoor settings.

The Court of Appeals invalidates the arrest warrants against activists arrested in November 2019, including Reina Mae Nasino, who gave birth while in custody in July 2020. The baby died in October 2020 after two months of separation from Nasino.

October:

Broadcaster Percy Lapid was killed in his house in Las Piñas. Lapid is the second journalist killed in the presidency of Marcos Jr.

The son of Justice Secretary Boying Remulla, Juanito Jose Diaz Remulla III, was arrested by PDEA for the possession of high-grade marijuana.

"A commotion erupted yesterday in the wake of Reina's daughter River Nasino when cops attempted to whisk the activist away while she was giving a media interview." – Coconuts Manila



November:

Police Officer 1 Jefrey Perez was convicted for the torture and planting of evidence on Carl Angelo Arnaiz and Reynaldo de Guzman who were killed in August 2017.

The Department of Local
Government launched the
Buhay Ingatan, Droga'y
Ayawan (BIDA) program, the
Marcos regime's rebranding
on the so-called war on
drugs.

December:

The US Department of
Treasury sanctioned
Kingdom of Jesus Christ
pastor Apollo Quiboloy for
alleged human rights abuses.

The Philippine inflation rate for the year 2022 reached 8.1%.

Price of onions skyrocketed to Php720 per kilo.

The National
Telecommunications
Commission started the SIM
card registration.

"BIDA involves the collective efforts of the LGU down to the barangays and all members of the Inter-Agency Committee on Anti-illegal Drugs (ICAD) where DILG heads the Advocacy Cluster." – DILG Region 8

I. Findings: Victims of EJK



A. How many were killed (as per PhilRights documentation)?

From August 15, 2017 to December 31, 2022, PhilRights fully documented **220** victims of alleged extrajudicial killing (EJK) under the so-called drug war.

August 2017 - July 2018:

57

August 2018 - July 2019:

81

August 2019 - July 2020:

38

August 2020 - July 2021:

4

August 2021 - December 2022:

40

· 220

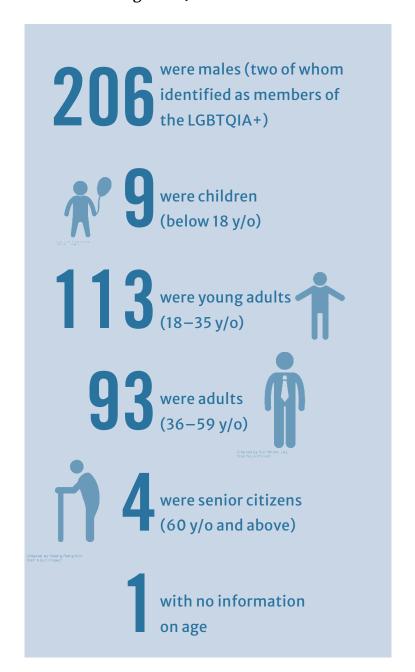
victims of alleged extrajudicial killing (EJK)

B. Demographics

Victims of the drug war were mostly male adults within the productive age range, family breadwinners, lowand irregular-wage earners from the informal sectors of the economy, of low educational attainment, and residents of urban poor communities.

1. Sex, Gender, and Age

Most of the drug war EJK victims were male adults.



2. Occupation (with Income)

There were 200 victims who were earners and most of them had low-earning jobs;² 138 had variable incomes; and only 60 were earning fixed incomes (two had no information). The mean daily income of victims with a single source of income was around Php408.92, usually earned after engaging in gruelling jobs for eight hours or longer. The mean daily income of victims with multiple sources of income (i.e., multiple occupations) was around Php604.27. 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.

Single-Income Source:



² Low-earning jobs is used in this report to refer to jobs that earn below or equal to the minimum wage.

Multiple-Income Source:



Non-wage Occupation:



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

Those who were self-employed (vendors, tricycle and jeepney drivers, scavengers, manicurists) had fluctuating incomes, ranging from Php80.00–800.00 a day, depending on their sales or number of trips made in the case of public transport drivers.

3. Educational Attainment

completed high school education but did not complete college completed elementary education but did not finish high school 55 did not finish their elementary education underwent Alternative Learning Systems (ALS) did not have any
formal education

The educational attainment of three victims could not be determined.

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

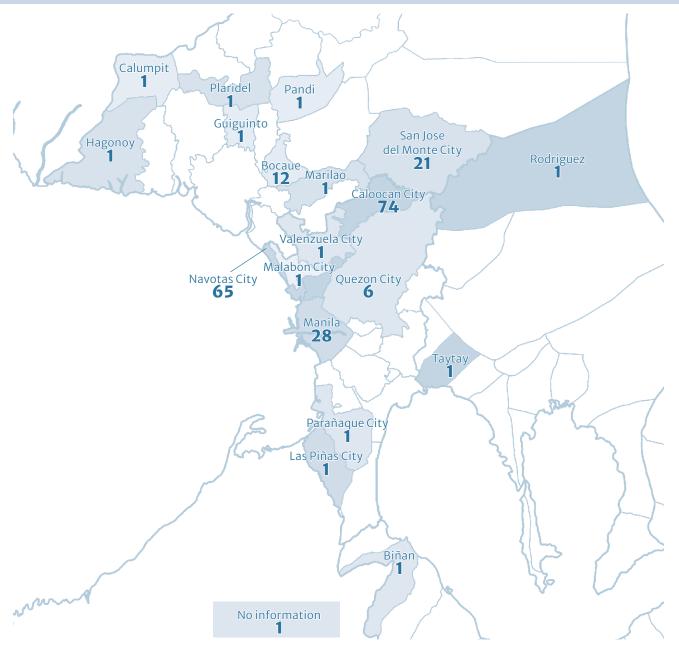
4. Civil Status



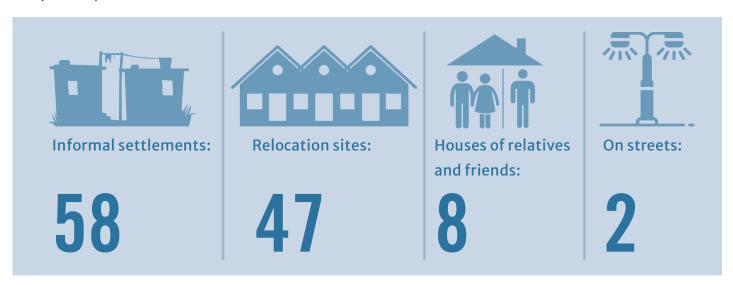
The civil status of four victims could not be determined.

5. Place of Residence

Biñan	1	Malabon City	1	Quezon City	6
Bocaue	12	Manila	28	Rodriguez	1
Caloocan City	74	Marilao	1	San Jose del Monte City	21
Calumpit	1	Navotas City	65	Taytay	1
Guiguinto	1	Pandi	1	Valenzuela City	1
Hagonoy	1	Parañaque City	1	No information	1
Las Piñas City	1	Plaridel	1		
		I .			



Most of the victims documented were residents of urban poor communities and did not own their dwelling. Over half (52.27%) resided in informal settlements, relocation sites, houses of relatives and friends, and public thoroughfares (streets).



Most of the documented victims lived in Caloocan City (33.64%), Navotas City (29.55%), and Manila (12.73%).³ Caloocan and Manila are also the cities with the highest incidents of alleged extrajudicial killings according to the figures released in July 2018 by the Ateneo Policy Center (APC),⁴ 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.

³ These figures do not represent the complete spatial distribution of the killings in the Philippines. They only represent the distribution of the cases referred to PhilRights for documentation.

⁴ C. David, R. Mendoza, J. Atun, R. Cossid, and C. Soriano, "The Philippines' Anti-Drug Campaign: Building a Dataset of Publicly-Available Information on Killings Associated With the Anti-Drug Campaign," accessed July 12, 2023, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3201814.

6. Recipients of Conditional Cash Transfer

PhilRights also looked into membership with the Conditional Cash Transfer or Pantawid Pamilya Pilipino Program (4Ps) as an indicator of the victims' poverty condition.

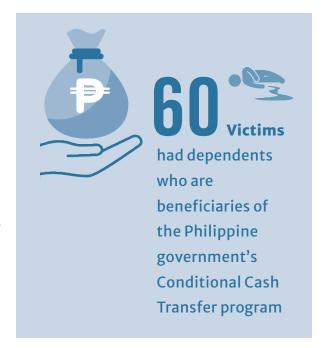
Without the help of the victims who were the primary income earners, families said that they were left dependent on the small subsidy while struggling to comply with the requirements of the program.

7. Contribution to Household Income

The income of 33 victims could not be identified, while 16 victims were not earners.

On average, the victim contributed around 58.83% of the household income.

Ninety-two (41.82%) of the 181 victims with known income were primary income earners, who contributed more than 50% of the total household income.



92 victims were primary income earners

33 victims could not identify their income

16 victims are not earners

8. Dependents

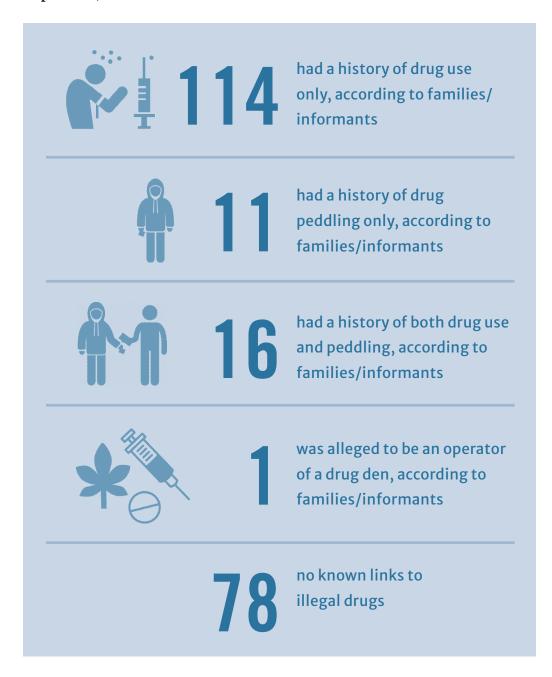
On average, a victim had three dependents.5

Among those left behind, 324 children lost at least one of their parents. Three children lost both parents.

⁵ Dependent is used in this report to refer to legitimate and nonlegitimate family members who are fully or partially dependent on the victim's income.

9. Alleged Link to Illegal Drugs

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



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.

"Hindi ko po talaga gusto na gumagamit siya, kaya lang, inaano niya talaga kasi driver po siya. Tricycle driver, panggabi po, dahil ayaw niya mainitan sa araw dahil sumasakit ulo niya. Hindi siya totally addict, pero bakit pinatay kaagad? Pinatong pa po sa kaniya, drug lord daw po 'yung anak ko, holdaper, mataas na sindikato ganoon po. E hirap po kami, bubong nga po ng bahay namin sira-sira. Ayon 'yung hindi ko nagustuhan, na ganoon daw kasama ang anak ko. Hindi po. Walang katotohanan 'yon." (SE, Caloocan City)

I really did not like that he uses drugs, but he continued because he was a driver. A tricycle driver at night, because he does not want to be under the sun since he gets headaches. He is not totally an addict, but why was he immediately killed? A sign was placed on him, alleging that he was a drug lord, a thief, a member of a high-ranking syndicate. We are poor, even the roof of our house is dilapidated. That is what I did not like, that my child was described as someone bad. He was not. That is not true.

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 are minimal.

Seventy-eight victims had no known links to illegal drugs. 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"). Some were killed after being forced to admit who their boss ("amo") was.⁶

⁶ See Justification and Narratives of the Alleged Perpetrators under Modalities and Patterns.

"Sa husband ko kasi nu'ng una, case siya ng 'palit ulo' talaga. Nandoon 'yung iaaresto nila, kaya lang matandang babae. Noong nakita nila 'yung babae, matanda, alangan naman patayin nila. Eh nagkataon na doon natutulog 'yung asawa ko, siya na lang 'yung pinalit. Talagang 'palit ulo.'" (MP, Navotas City)

My husband was a case of "palit ulo." The person they were going to arrest turned out to be an older woman. When they saw her, an elder, they could not kill her. It just so happened that my husband was also there, sleeping, so he was the replacement. It was really "palit ulo."

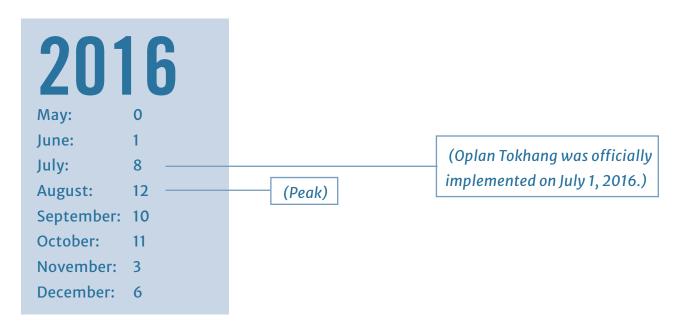
There are claims that police officers have to fulfill a quota of targets killed.

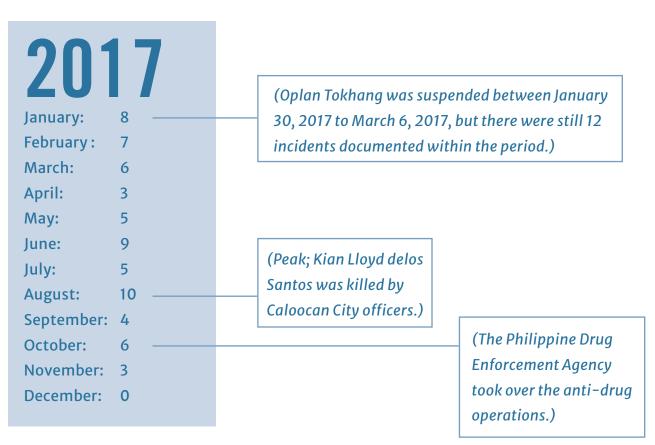
"By day, may kailangan silang quota eh, halimbawa sa case namin sampu... May listahan pa kayo, parang ganoon di ba, may quota sila per day na kailangan, kung pwede isama 'yon. Kaya kahit na lang sino 'yung maabutan nila, sa isang lugar, para lang ma-fulfill nila 'tong quota na ito di ba?" (LV, Cardona)

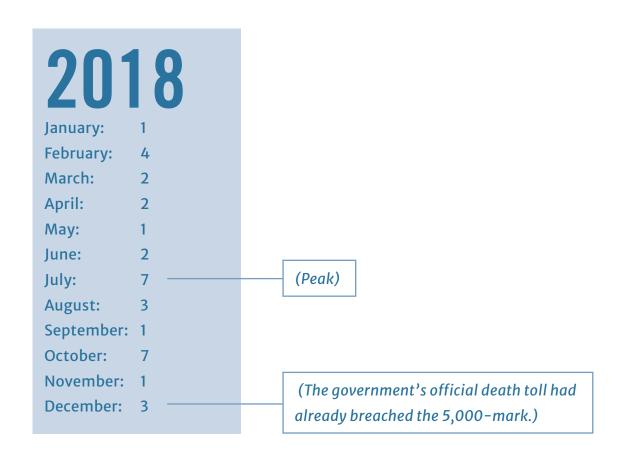
The police need to fulfill a daily quota. In our case, ten individuals were killed... They have their own lists, hence, when the quota isn't met, they will kill whomever they end up coming across.

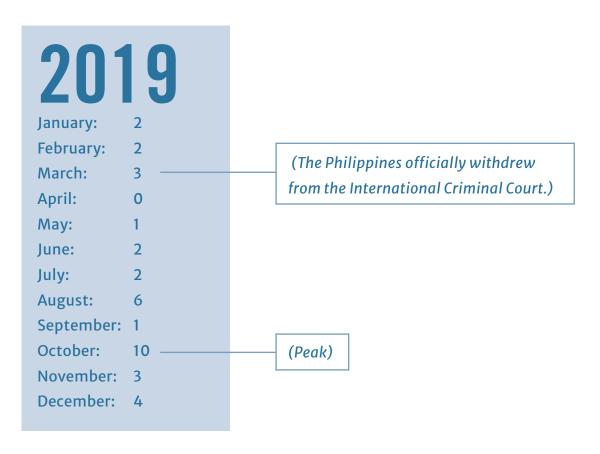
C. Modalities and Patterns

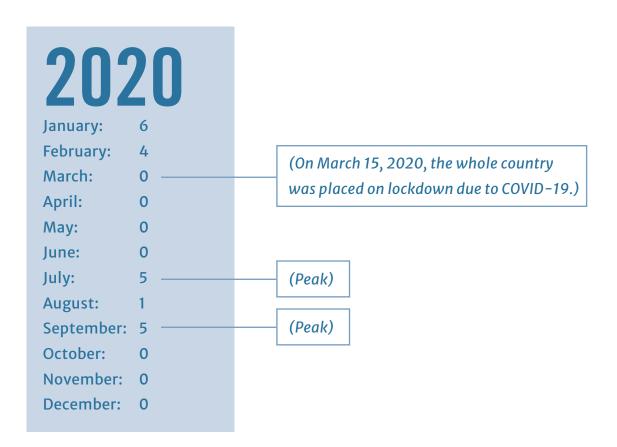
1. When were they killed?







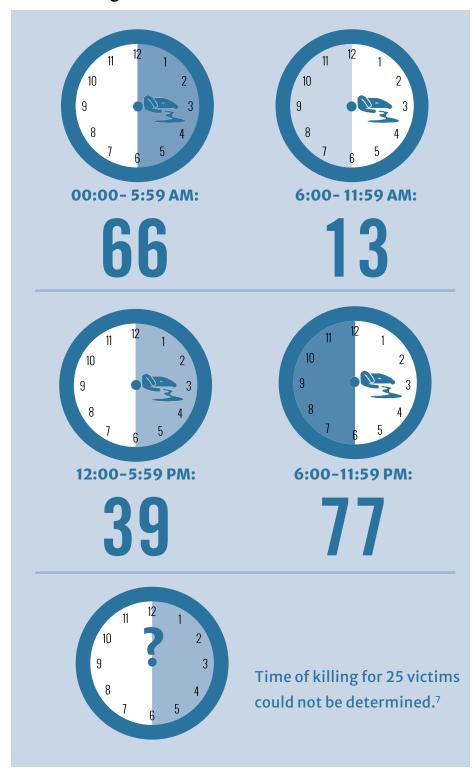




2021 January: February: March: 0 April: 0 May: 1 June: 2 July: 1 August: 1 September: 0 October: 1 November: 1 December: 0

ZUZ	
January:	0
February:	0
March:	0
April:	0
May:	1
June:	1
July:	1
August:	0
September:	0
October:	0
November:	0
December:	0

2. Time of Killing



⁷ Time of death cannot be determined because the victims were found dead, were already in funeral parlors, and/or had no official autopsy report.

The informants said that killings mostly happened at night due to the lack of potential witnesses, as most people are sleeping.

"Kaya pag gabi, wala na, konti na lang 'yung taong gising. Kaya doon sila, controlled na talaga nila 'yung oras. Sa umaga, marami pang tsismosa, hindi nila mapipigilan 'yon, di gaya pag gabi, controlled nila, wala nang tao, nakapwesto na sila." (ML, Caloocan City)

In the evening, only a few people are awake. They have control over time. In the morning, there are a lot of eavesdroppers, unlike in the evening when they can position themselves much more easily.

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.



Socializing with families and/or friends:

> Own residence: 18

> Other people's residence: 10

> Commercial establishment: 2

> On the street: 25

> Open space: 4

> Inside a parked vehicle: 1

> Workplace: 1



Resting/Sleeping:

> Own residence: 33

> Other people's residence: 2

> Inside a parked vehicle: 2

> Commercial establishment: 2

> Open space: 2

> On the street: 2

> Workplace: 1

> No information on location: 1



Working:

> Own residence: 2

> Other people's residence: 1

> At workplace: 9

> On the street (e.g., tricycle driver): 14



Engaging in leisure activities:

> Own residence: 5

> Commercial establishment: 4

> On the street: 5



Doing routine activities or chores:

> Own residence: 10

> Other house: 2

> Open space: 4

> On the street: 18

> Commercial establishment: 1

> Other people's residence: 2

> No information on location: 1

Walking on street: 7



In police custody: 4





No information on activities:

> On street: 8

> Own residence: 6

> Open space: 1

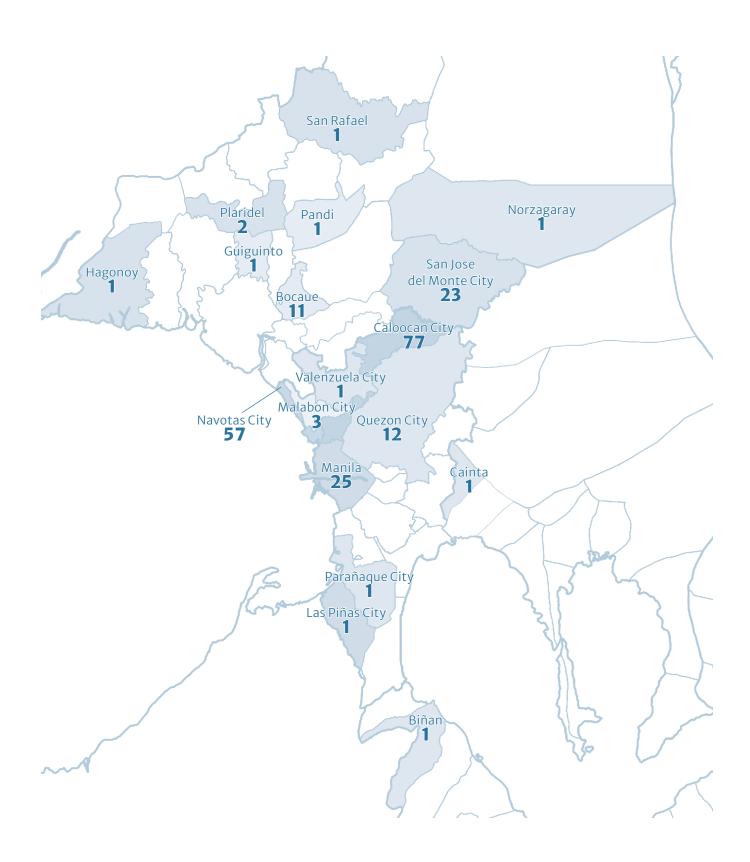
> No information on location: 10

3. Distribution of Documented Killings by City/Municipality

Our documentation identified that 186 (84.55%) of the victims were killed and were found dead within the cities/municipalities where they resided. In Rizal, one 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 Navotas City, and San Jose del Monte City and Bocaue in Bulacan. In Caloocan City, Bagong Silang and Tala are the hotspots for killings.

Biñan	1	Navotas City	5
Bocaue	11	Norzagaray	
Cainta	1	Pandi	
Caloocan City	77	Plaridel	
Guiguinto	1	Parañaque City	
Hagonoy	1	Quezon City	
Las Piñas City	1	San Jose del Monte City	2
Malabon City	3	San Rafael	
Manila	25	Valenzuela City	







- a. Police Operations and Under Police Custody
 Under PhilRights' documentation, alleged extrajudicial
 killings are categorized as "having occurred during
 police operations" if:
 - 1.) Police authorities, whether in official uniform or not, introduced themselves as such during the course of the operation.
 - 2.) 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.



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 Perpetrators such as Riding-in-Tandem Assailants
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.8

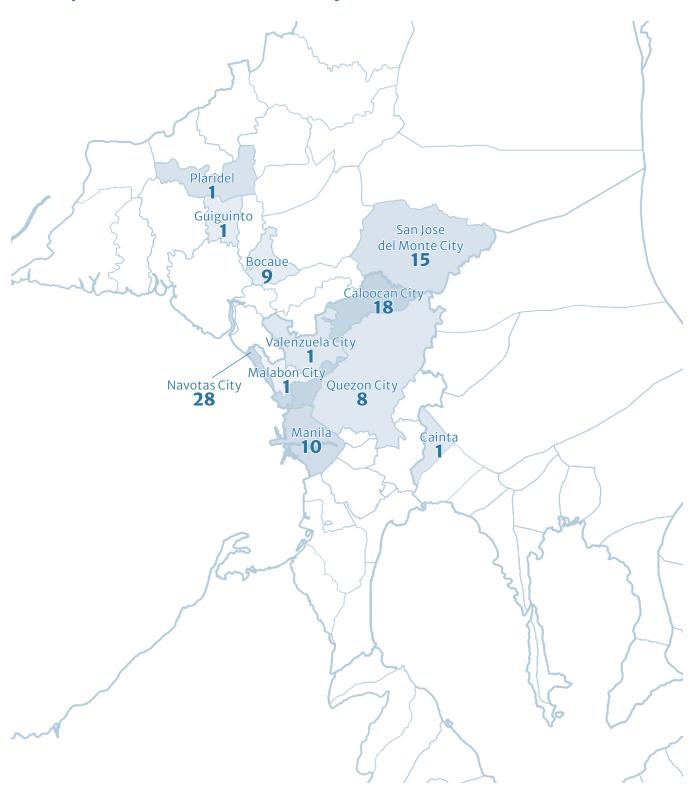


⁸ Amnesty International, "'If you are poor, you are killed': Extrajudicial Executions in the Philippines' War on Drugs" (London: Amnesty International, 2017), accessed July 12, 2023, https://www.amnesty.org/download/Documents/ASA3555172017ENGLISH.PDF.

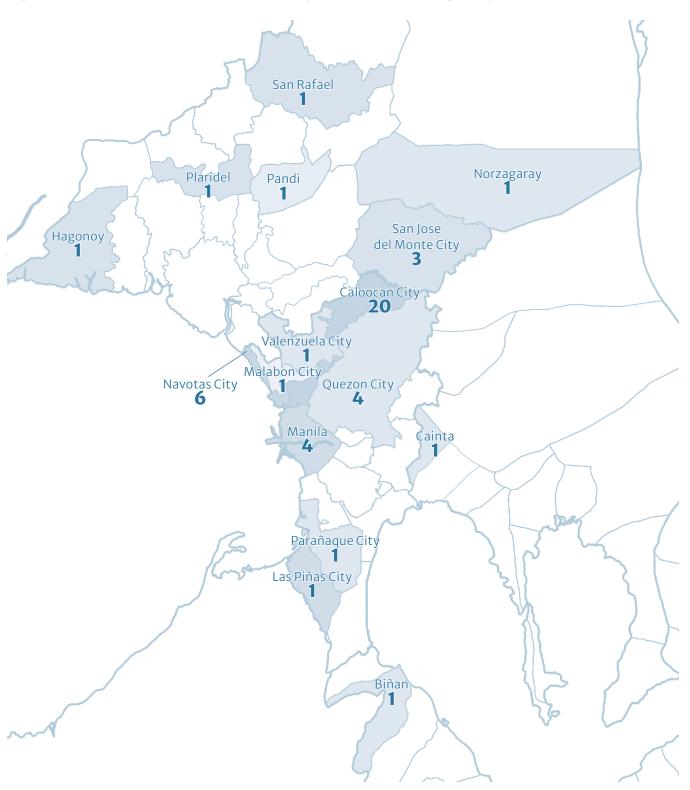
5. Number of Documented Victims by Type of Operation



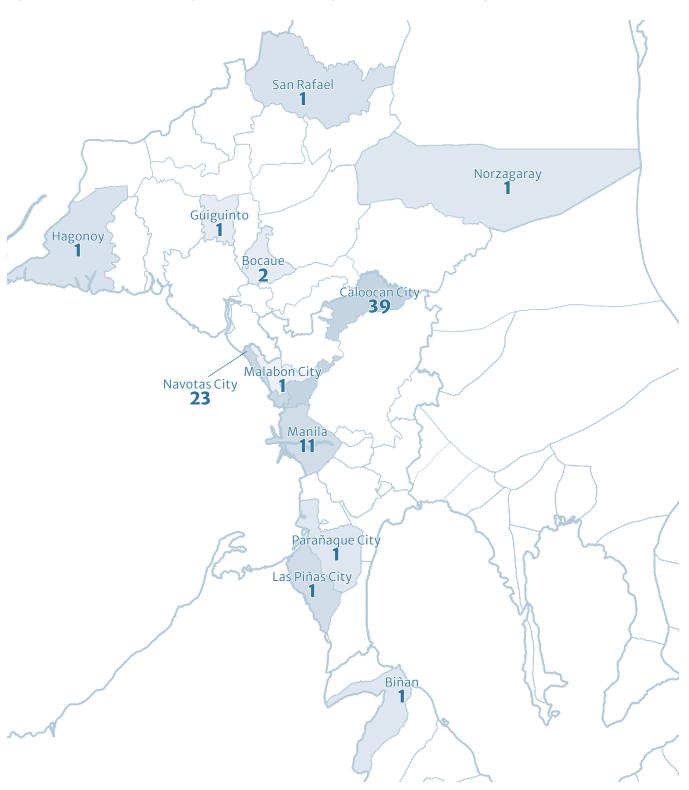
Police Operations and Under Police Custody



Operations Believed to be Conducted by the Police as Alleged by Informants



Operations Conducted by Unidentified Perpetrators and Riding-in-Tandem Assailants



7. Number of Alleged Perpetrators

Informants for the documented cases (of single-victim killings) report varying numbers of alleged perpetrators, ranging from one perpetrator to over 20, regardless of type.

Note: The total number of incidents is not equal to the number of documented victims. A total of 199 singleand multiple-victim EJK incidents were documented by PhilRights.

81
incidents involved
1-5
perpetrators

37
incidents involved
6-10
perpetrators

incidents involved

11–15
perpetrators

incidents involved

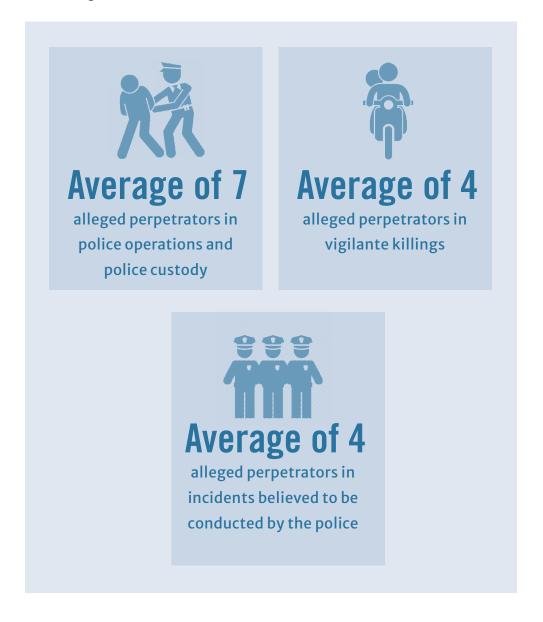
16-20
perpetrators

incident involved more than

perpetrators

cases have no estimates of the numbers 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.



Informants said that such high numbers of perpetrators in operations mean that they work together as teams, regardless of the number of their target victims.

8. Manner of Killing





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 drug war.





Some of the signs of torture:

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

was raped victims, their manner of killing could not be determined by the informants

"'Yung anak ko kasi nakabalot 'yon nu'ng nakita, nakabalot ng packing tape, saka nakagapos ng alambre... Nagtatrabaho at naglilinis siya noon ng banyera. Ang sinabi sa amin, may kumuha raw (sa kanya) do'n, talagang balot na balot 'yon. Di ko natingnan 'yon." (LT, Navotas City)

My son was found wrapped with packing tape, and was tied with steel wire. He was just working, cleaning tubs, and we were told that someone took him. We found him wrapped so thoroughly that we couldn't even look at him.

On average, a victim suffered from four gunfire injuries. 73 victims sustained four or more gunfire injuries.

Two victims had at least 20 gunfire injuries; they died in separate operations that informants allege were conducted by perpetrators believed to be police officers in Plaridel, Bulacan and in a police operation Navotas City.

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.

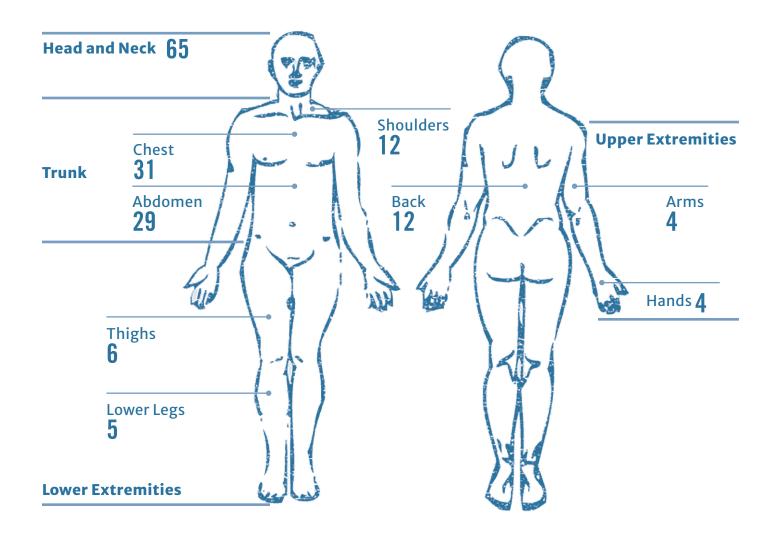
⁹ Philippine National Police, *Philippine National Police Handbook PNPM-DO-DS-3-2-13* (Manila: Philippine National Police, 2013), 29-30, https://www.policinglaw.info/assets/downloads/Revised_Philippine_National_Police_Operational_Procedures.pdf.

9. Gunshot Wounds

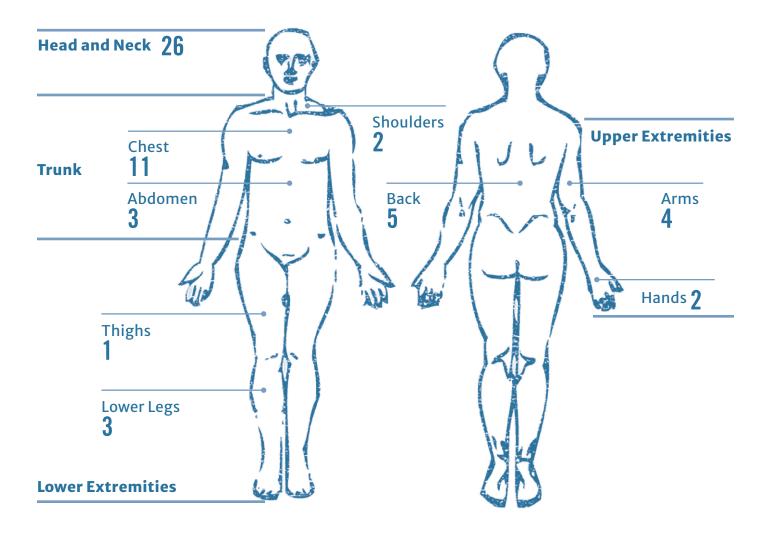
Gunshot wounds are counted individually regardless of whether they are entry or exit wounds.



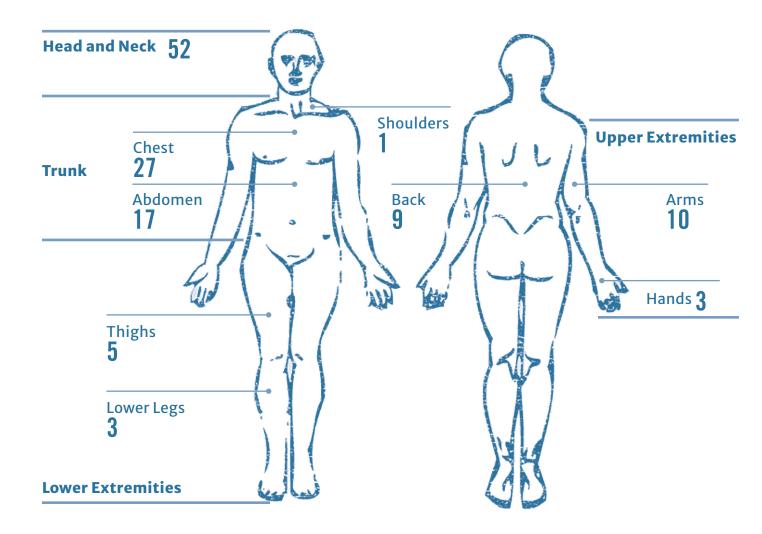
No. of documented victims killed in operations conducted by unidentifiable assailants and riding-in-tandems



No. of documented victims in operations believed to be conducted by police officers as alleged by the informants



No. of documented victims in police operations and under police custody



Victims with no information on location of wound:

39

The figures show the cumulative number of gunshot wounds per area of the body to identify which body parts were commonly hit by the alleged perpetrators. Because one victim may sustain multiple gunshot wounds, the total number of gunshot wounds in the previous figures does not match the number of victims.

10. Record of Previous Encounter with Law Enforcement Authorities



a. Arrest and Detention

Ninety documented incidents involved victims who had records of arrest. Out of the 90 incidents, 83 of them involved victims who had records of detention. These incidents involved violations of local ordinances such as loitering, robbery, illegal gambling, physical injury, homicide, murder, and drug trafficking.



b. "Tokhang" (Knock-and-Ask)-related Record
Thirty 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. Seven
of them surrendered to the authorities. Four

victims underwent rehabilitation activities such

as Zumba dance exercises and community work.



c. Drug Watch Record

Forty-four of the documented victims were in the official drug watchlist, according to the informats. 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.

Four 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 Human Rights Violations

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.



b. Illegal Arrest and Arbitrary Detention

Ten victims had been arrested illegally and detained arbitrarily prior to their deaths; one victim 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.

Illegal Search and Ransacking
 There were 11 documented incidents of illegal search and ransacking of their homes.



d. Threats, Harassments, and Intimidations

Nine 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.

Using Guns to Threaten the Witnesses

In Tala, Caloocan City, on October 30, 2016 at around 5:00 a.m., several police officers shot dead a 33-year-old man. His brother attempted to come near his body, but one of the police officers pointed a gun at his head and told him to stay away. The brother said that he was traumatized because of the incident.



e. Asportation or Bringing the Victims to Other Places
Some of the victims in Navotas City, Caloocan City,
and City of San Jose del Monte and Pandi in Bulacan
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.

Killing Field

In San Jose del Monte City, Bulacan, at around 2 p.m. of August 26, 2017, a 25-year-old woman was unlawfully arrested by police officers for alleged drug peddling. Witnesses saw the victim being taken into a white van and driven north of the city. That was the last time they saw the victim alive. Staff from the funeral parlor told her mother that they had found her in a vacant lot in Norzagaray, Bulacan where many of the killings of arrested victims were happening according to informants. Her body sustained six gunshot wounds, including in one eye which shattered her eye socket. Her fingernails were also removed, a sign that she was tortured before her death.





f. Personal Properties

32 victims had their personal properties such as cash and cellular phones missing after the killings, 13 of these 32 were killed in police operations.

Personal properties of 13 victims were taken; nine of these victims were killed in police operations.

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

yictims had their personal properties missing after the killings

13 victim's personal properties were taken

"Yung pagkalkal ng mga gamit, halukay talaga sila. Tapos magugulat ka na lang meron silang makukuhang sachet ng shabu (methamphetamine hydrochloride). Gano'n po usually ang ginagawa nila. Tapos 'yung sa iba naman, ang nakuha 'yung mga matataas na ginagamit daw ng mga NPA. 'Yun daw ang mga nakuha sa loob ng bahay. Marami ang nagsabi na magkakalkal tapos biglang nagdadala (ng mga gamit ng biktima). 'Yung iba binibitbit daw 'yung TV Plus, mga gamit sa construction, basta lahat ng makukuha nila, nakuha nila. Pera, 'yun, mga nakukuha nila 'yon. Hindi naman na naibalik 'yun. Ewan kung bakit nakukuha po mga gamit sa bahay. Kung ano po 'yung nakikita nila, kinukuha." (HC, Navotas City)

They really rummaged through our neighbor's things. Then sachets of shabu were found among their belongings. That's what usually happens. With others, police claimed they found weapons that they alleged as belonging to the New People's Army. Many also say that the police took some of their valued possessions. In some cases, their TV Plus, construction tools, or just anything they could get, they would get—including money. These were never returned. I don't know why they took them.

g. Anomalies in Processing the Victims' Bodies

Questionable acts such as the immediate arrival of a
funeral crew and the transfer 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 untainted evidence that will eventually stand up
to investigations and court cases.

One hundred nine 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.



109
incidents where funeral parlors were immediately present at the site of killing.

victims were brought to the hospital after being killed

were declared dead-on-arrival.

The clothes of some victims were changed by the perpetrators, to hide blood evidence and other marks on the clothes worn by the victims.

Fifty-two 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 was already confirmed at the site of the killing. These statements align with a Reuters special report that detailed how some hospitals in Quezon City and Manila take in dead bodies brought by police officers, effectively concealing that the victims were executed.¹⁰

Taking the Dead to the Hospital

At around 8:00 p.m. in May 2017 in Tondo, Manila, a 22-year-old man was shot dead by police officers for alleged drug peddling. Immediately after the killing, an ambulance arrived at the site to take his body to a nearby hospital while the police officers cleaned the area of any piece of evidence. According to the witness, nobody came to seal and investigate the site.

h. Denial of Medical Intervention

One victim was denied urgent care and treatment at the hospital due to the inability of the families to pay the hospital bills.



¹⁰ C. Baldwin and A. Marshall, "Philippine Police Use Hospitals to Hide Drug War Killings," Reuters, accessed December 11, 2020, https://www.reuters.com/investigates/special-report/philippines-duterta-doa/.

12. Death Certificates

These were the causes of death, as written, among the available 105 death certificates of documented victims:

gunshot wounds," "multiple gunshot wounds," "gunshot," or "gunshot wound" indicating the body part/s

"cardiac arrest," "heart
attack," "(acute) myocardial
infarction," with no stated
underlying cause

"shooting incident"

"pneumonia"

"asphyxia" and "asphyxia by strangulation"

"acute respiratory distress syndrome," with no stated underlying cause

"Dead-on-Arrival," with no stated underlying cause

"blaunt [sic] traumatic injuries"

"hypertension"

"septic shock, anemia, multiple skin infection"

"decapitation and without right index finger"

* Causes of death for 27 victims could not be determined

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.

Denied Financial Claim due to Falsified Cause of Death

A wife of an extrajudicial killing victim in San Jose del Monte City brought her case to the Commission on Human Rights (CHR) to claim financial assistance under its program for "drug war" victims. The CHR denied granting financial assistance to the wife due to the falsified cause of death in the death certificate of the victim. The written cause of death was "pneumonia" despite witnesses saying that the victim had been shot. The wife of the victim said that she agreed to put "pneumonia" in the death certificate as suggested by the funeral parlor in order to hasten the interment of the victim. She said that she only agreed out of confusion and desperation to claim the body from the funeral parlor as soon as possible. She now worries that the erroneous document would jeopardize her efforts to claim justice for her husband.

Php45,000

Processing fee families reported that they were asked by SOCO to pay before they could retrieve the victim's body. Details were never made clear on the nature of this fee.

13. Extortion by the Authorities

Some families reported that they were asked by the SOCO to pay around Php45,000 before they could retrieve the body. They were told that the payment was for the processing of the body—the details of which were never made clear.

14. Complicity of Funeral Parlors

The surge in killings has been generally beneficial for funeral parlors, especially those that are accredited by the PNP Crime Laboratory.¹¹

Funeral crews were immediately present in the killing sites of 109 victims. These funeral parlors were believed to be summoned by the police officers to collect the bodies.

¹¹ Marc Jayson Cayabyab, "Funeral homes prey on Tokhang victims," *Philippine Star*, November 1, 2019, Accessed July 13, 2022, https://www.philstar.com/nation/2019/11/01/1964984/funeral-homes-preytokhang-victims

The families of 46 victims struggled to pay the services of the funeral parlors. On average, families were required to pay around Php33,000 for funeral services. Some were asked to pay around Php55,000 before they could retrieve the body, a hefty amount for poor families. They were told that the payment was for the "processing of the body," autopsies, embalming, wakes, and burials.

Families say that the autopsies were poorly done, rendering the results unusable for future investigations. None of the families were provided with the results of the autopsies. A second autopsy on two victims revealed that there were still bullets inside their bodies. Some informants also described funeral parlors encouraging families to waive their right to demand an autopsy.

A 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. families of victims struggled to pay the services of the funeral parlors

Php33,000

on average fees for funeral services

Php55,000

payment asked of some families before they could retrieve the body, a hefty amount for poor families

Funeral Parlor and Police Harassment

The family spent days looking for the victim upon hearing the news that he had been shot and had been taken by the police. The victim's mother visited nearby police stations. The search was fruitless until one police station directed them to look for him at funeral parlors. The victim's mother instead went to the hospital and was told that her son had indeed died.

They eventually found the victim at a funeral parlor, known for taking on victims of extrajudicial killings. They were asked to pay Php35,000 and an additional Php15,000 for the autopsy.

The family tried to negotiate for an extension for the payment period but the funeral parlor refused. On the day of the victim's burial, the funeral hearse did not show up and the family had to look for an alternative. The funeral crew eventually showed up with police in tow to pressure them to pay up.

15. Justifications of the Police for the Killings

To justify the use of excessive force and that the killing was indeed necessary, authorities are pushing the self-defense or *nanlaban* narrative: that the victim initiated the gunfight against 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 raised serious doubts about these claims.



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

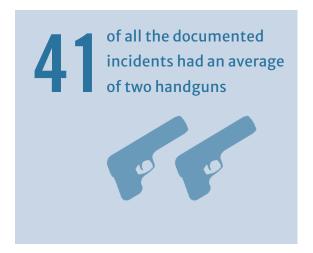


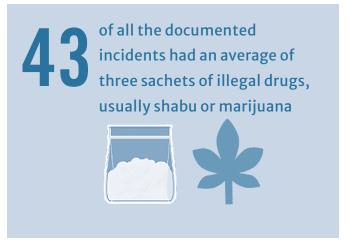
Despite police claims that their operational procedures abide by the law and their protocols, some irregularities have been documented. There were documented cases of police operations where police officers used unofficial vehicles such as unmarked white vans and cars. Informants also attested that there were instances that search warrants were not presented before entering the victims' homes. Also, contrary to guidelines, police, in some cases, failed to coordinate with the barangay prior to their operations.

16. Evidence Recovered from the Victims

Police claim that they recovered guns and illegal drugs from the victims.

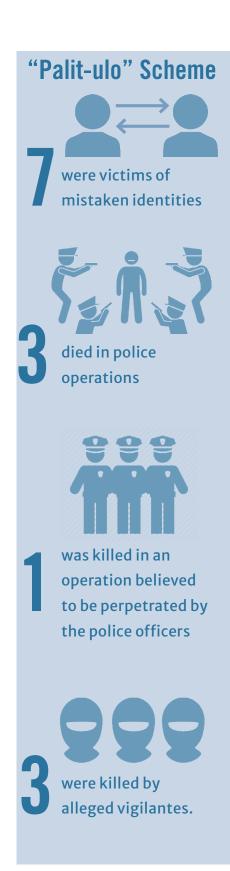
Interviews with informants and a review of available police reports on the documented cases reveal that:





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.

Another modality is a string of mistaken identity cases. There is also the practice of the "palit-ulo" scheme whereby the victim was



substituted for the real target so that the alleged quota requirement could be met. Seven were victims of mistaken identities; three died in police operations, one was killed in an operation believed to be perpetrated by the police officers, and three were killed by alleged vigilantes. Two were victims of the "palit-ulo" scheme in police operations.

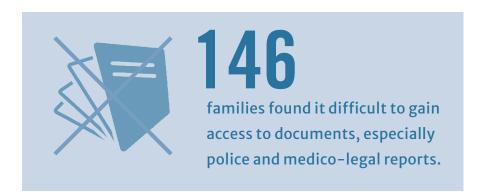
Informants believe that in the conduct of the government's campaign against illegal drugs, shortcuts were employed, resulting in violations of the right to due process. The extrajudicial nature of the killings of individuals suspected by the police as involved in the drug trade have shown wanton disregard for due process. The execution of individuals upon mere suspicion of involvement in illegal drugs illustrate the impunity in which the right to due process is violated. To accept the claim by the police that most of those killed "fought back" or nanlaban underscores the government's low regard for the right to due process.

Informants shared the view that victims of extrajudicial killings were immediately judged guilty without having been given the chance to prove their innocence. The very nature of extrajudicial killings is seen as contradictory to the right to a fair trial.

Using Explosives

In a house in Bagong Silang, Caloocan City on August 18, 2017 at around 2 a.m., police allegedly killed a couple in a room. Witnesses then saw the police throwing a grenade into another room. After the explosion, they then dragged the bodies of the victims to the room. Later in the police report, the police perpetrators claim that the grenade was thrown by the victims as part of their narrative that the victims had fought against them.

17. Access to Information



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 faith-based organizations that require police reports to validate their assistance requests.

18. Investigations

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



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.

CCTV footage, when available, ended up tampered or inaccessible which has been a common 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 by human rights organizations 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.

With ICC's ongoing investigation on the Philippine situation, many families in Navotas City and Caloocan City reported that police and National Bureau of Investigation (NBI) operatives have recently been approaching them about filing cases. Rather than gathering evidence, police instead have been trying to convince the families to sign waivers, sworn statements, or even blank papers to show that they would no longer pursue their cases due to the alleged lack of witnesses and evidence.

19. Post-Incident Threats and Harassment



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

II. 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 December 2022.

A. Frustrated EJKs

- victims of alleged frustrated extrajudicial killings were documented
- of them decided to return to their community.

- victims, together with their families, sought sanctuary for their protection
- victims relocated to the provinces.

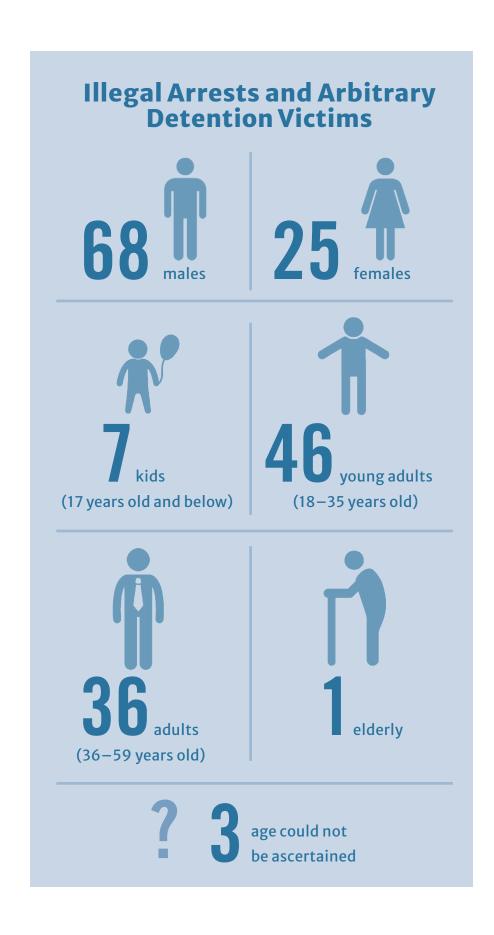
Surviving Multiple Gunshot Wounds

A 44-year-old woman survived after being shot multiple times in her torso and limbs in their house in Malabon City during a police operation on January 18, 2017 at around 7 p.m. She played dead until the perpetrators left her and her husband who was killed in the operation. Her brother arrived later that evening and took her to the hospital which refused to give her proper treatment. She went into hiding while suffering from the gunshot wounds. She fears that the perpetrators would come after her if she returns back home.

B. Illegal Arrests and Arbitrary Detention

Ninety-three (93) victims of illegal arrests and arbitrary detention who were not killed under the drug war have also been documented. 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:

- Having no warrant, except for crimes in flagrante delicto;
- 2. Harassment, torture, and sexual abuse;
- 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;
- 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; and
- 13. Other acts not permitted by the police guidelines and by the law.



Palit-ulo Arrest of Minors

On August 4, 2020, siblings, Edward (17) and Robert (13), were taken by the Special Anti-Illegal Drugs Task Force from their home around 4 p.m. The police were originally looking for a different person but failing to find the person of interest, the police took the underaged siblings instead. The family immediately looked for them and only at around 12 midnight were they located at the Bahay Pag-asa of Navotas City. The staff of Bahay Pag-asa refused to release the children to their mother and instructed her to wait for a lawyer to contact her.

Edward was charged with Section 11 of the Comprehensive Dangerous Drugs Act of 2002 while Robert was held in custody as he was categorized as "Child at Risk," despite the circumstances of their arrest.

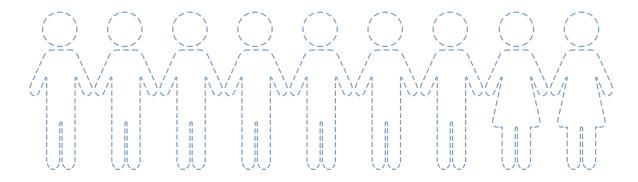
Edward was forced to plead guilty to a lower offense as advised by his public lawyer, and the court refused to apply the Juvenile Justice Welfare Act on his case.

The children were released to their mother a year after the "palit-ulo" arrest, under probation.

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

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

C. Enforced Disappearances



- alleged victims of enforced disappearances were documented. All nine victims have not been found as of this writing.
- of the victims were males

- were females
- female victim was allegedly last seen during a police operation
- female victim was last seen to be in a police station, visiting her detained friend when she disappeared

- victim was below 18 years old
- were young adults (18–35 years old)
- adult (36–59 years old).
- Instead of being assisted, families of victims of enforced disappearances were often instructed by the police officers to look for their family members in funeral parlors.
- no information on the age

III. We Turn the Tide



Abe

Grief fills Nanay Abe's heart every time the first of October comes. It is a doubly tragic day in her life: it was the day her mother died and the day her nephew, Andrew, was slain allegedly by police.

Andrew was affectionate to Nanay Abe. Living in the same compound, the two shared many fond memories together, which she now dearly misses. Every morning, Andrew would yell from down her stairs, asking for a cup of coffee. Andrew was also her personal masseur, relieving her wearied body after a long day's work of peddling doormats.

"Mahirap din kahit matagal na silang wala, mahirap din. Wala na akong tagamasahe, at saka nami-miss ko 'yun pagka umaga, titingala na 'yan sa haqdan ko, 'Tita, pengeng kape.'"

(It's still hard for me even if they have been long gone. I don't have someone to give me a massage, and I miss those mornings when Andrew would look up and yell "Auntie, can I have coffee?")

Andrew was very interested in the arts and had the talent to draw. He once drew a portrait of Nanay Abe, after finding a photo of her sitting outside near a mango tree. He also worked as a henna tattoo artist and once he even tattooed Nanay Abe. He also made flower vases out of old newspapers and made a livelihood out of it, selling them to neighbors for sixty-five pesos apiece.

"Malambing siyang pamangkin. Kasi siya 'yung unangunang pamangkin ko. Anak siya ng panganay namin kaya close kami."

(My nephew was affectionate. He was my very first nephew. He was the child of my eldest sibling so we were really close.)

No wonder, Nanay Abe was enraged when she saw her nephew's lifeless body on the floor inside his home in Caloocan. Andrew's skull was crushed, slivers of his brain matter and eyes splattered across the curtain.

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to Nanay Abe.
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The Incident

Eight cops broke into Andrew's house on the night of October 1, 2016, between 10 and 11 p.m. and allegedly shot the victim and his partner multiple times. The two were sleeping, their two children also asleep next to them, when the perpetrators arrived. Andrew was shot in the head several times. His partner was also shot but survived only to end up going to jail.

Nanay Abe rushed to her nephew's house. The Scene of the Crime Operatives (SOCO) team and the funeral service had already arrived when she got there. She saw her nephew, whom she just saw hours earlier, now lifeless. She could not hold back her anger, and could have assaulted the investigators on the scene had the people around her not held her down. She found it suspicious that the SOCO and the funeral service arrived so quickly after the perpetrators had left the scene; this further fueled her anger.

"Ang daming humahawak sa akin dahil gusto kong abutin 'yung imbestigador sa gigil ko, pati 'yung SOCO. Sabi ko, 'Ayos ah, nandito na kayo?' sabi ko sa kanila, 'Nandito na kayo?' Sabi ko, 'Kakatalikod lang ng mga bumaril, nandito na kayo?'"

(Many people were holding me down because I wanted to grab the investigator and the SOCO because I was so mad. I told them, "Really, you're already here? The killers just left and now you're all already here?")

In the months following her nephew's death, Nanay Abe's life would change drastically—and for the worse.

Aftermath

Nanay Abe remained in a perpetual state of fear and trauma for months.

"Noong nangyari sa pamangkin ko, syempre 'yung takot at trauma ang dinanas namin, grabe." (Since that happened to my nephew, we experienced fear and trauma, it was intense.) Suspicious persons in civilian clothes stood by and walked She found it
suspicious that
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Nanay Abe's
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She and some
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around her nephew's wake, further aggravating Nanay Abe's fear and trauma.

Andrew's murder disrupted their way of life. Even the most mundane of activities, such as going out to socialize, to buy essentials, became a risky exercise for them: "Halos kung maaari, ayaw namin lumabas sa gabi kasi natatakot kami. Kung bibili kami sa tindahan, parang ayaw naming lumabas para bumili." (As much as possible, we avoid going out at night because we are scared. Even if we need to go to the store, we would still hesitate.) A good night's sleep became elusive for her and her family, as they were scared that falling asleep would mean suffering a similar fate at the hands of the police. It would take several months for her to recover and for her life to regain some semblance of normalcy.

Still, Nanay Abe continued to suffer from paranoia. "Dati, talagang grabe. Grabe talaga. Para nga akong praning. Daig ko pa nga ang addict." (Back then, it was intense, it really was. I was acting paranoid, I was more paranoid than a drug addict.) When night fell, Nanay Abe would immediately lock the gates of her compound, and would repeatedly check if all her doors were closed. She would tail her children when they went outside to buy from the stores nearby.

Nanay Abe's lingering paranoia was not without basis in reality. She and some family members personally knew her nephew's alleged killers. "Kaya natatakot kami kasi alam nila na kilala namin sila. Kaya ang tagal din, ang tagal namin nakamove on talaga, grabe." (We were scared because they knew that we knew them. That's why it took us a long time to move on.) The alleged perpetrators live nearby. Her brother-in-law, who was working as a barangay tanod, personally knew them, as they see each other regularly at their barangay hall.

The incident also severely affected Nanay Abe's livelihood. She makes her income selling doormats door-to-door, but couldn't cover a much larger area, scared that if she went too far out, she might not make it home alive. She also had a sarisari store in front of her house but she would close it down as early as 6 p.m., earlier than she used to, because police antiillegal drug raids and vigilante killings were rampant at night.

Encounters with Law Enforcement

Nanay Abe wants justice for her nephew. However, her fear of reprisal kept her from filing formal charges in the courts.

In the months following her nephew's death, law enforcers paid Nanay Abe several visits for matters involving her nephew's case. On one occasion, area leaders asked her to hand them her nephew's death certificate, a request she refused. After several months, three cops asked her to sign a waiver declaring she had no intention of filing formal charges. The cops also declared that their intention was to help with the investigation of her nephew's death. This time, she cooperated and signed the waiver for fear of retaliation, knowing that the perpetrators were also cops: "Siyempre kabaro nila 'yun, siyempre sasabihin ko hindi ako magsasampa ng kaso." (They were fellow cops, of course I would say I would not file a complaint.)

Nanay Abe is skeptical about the police's intentions, mainly because she is yet to see results seven years after her nephew's death: "Wala naman din nangyari. Wala naman, ganu'n lang, kuwento lang. Kasi alam din naman nila sa sarili nila. Sabi na lang nila 'yun, hugas-kamay na lang nila 'yun, pero alam kong walang mangyayari sa imbestigasyon nila." (It didn't go anywhere. It is all lip service. They know the truth deep inside, but they are ready to wash their hands off it, I know that nothing will happen with their investigation.)

Seeking Justice

Nanay Abe now actively works with organizations that offer support to victims of extrajudicial killings. "Kaya nga

On one occasion, area leaders asked her to hand them her nephew's death certificate, a request she refused. After several months, three cops asked her to sign a waiver declaring she had no intention of filing formal charges.

Engaging with these organizations has helped Nanay Abe in her journey of seeking justice for Andrew. She learned that she had every right to fight for justice.

sumasali ako, lumalapit ako sa mga organisasyon na alam kong pwede naming maging kakampi, organisasyon na pwedeng tumulong sa amin para magkaroon ng [progreso] 'yung kaso namin. Matulungan kami na mai-usad 'yung kaso namin, maipagtanggol kami." (That's why I am reaching out to organizations, because I know they will side with us, they will help us see progress in our cases. They will help us with our cases and will defend us.)

Engaging with these organizations has helped Nanay Abe in her journey of seeking justice for Andrew. She learned that she had every right to fight for justice. She finds meaning in her work and, crucially, the strength to confront her fears:

"Sa organisasyon namin nalaman na pwede pala namin ipaglaban ang karapatan namin. Ang laking bagay no'n na pwede pala 'yun dahil akala namin noon, pagka ganyan, kailangan huwag kaming kumibo. Pangalawa, kahit paano, natulungan din ng organisasyon 'yung mga isip namin, mga puso namin na medyo mabawasan 'yung mga nararamdaman naming takot."

(It was from these organizations that we learned we can fight for our rights. It was huge for us because we used to think that if it (EJK) happens to you, you need to stay silent. Secondly, somehow, these organizations are helping us mentally and emotionally; the fear we are feeling has been fading.)

That is why Nanay Abe believes in being part of a community of human rights organizations in seeking justice: "Malaking bagay ang pagkakasali namin sa organisasyon. Lalo na nakikita namin na nagpupursigi naman silang tulungan kami tungkol sa kaso namin." (Joining organizations is huge for us. Especially since we see that they are persevering in helping us with our cases.)

It was also through these organizations that Nanay Abe learned about the International Criminal Court's investigation into the killings committed in the context of the so-called war on drugs.

Now, Nanay Abe pins her hopes on the ICC, trusting that they will fight for their rights and help them claim justice. "Kasi ang ICC, kahit papaano, nakikita namin na ipinaglalaban nila ang karapatang pantao. At ang ICC, alam namin na 'yun ang gusto niyang mangyari, 'yung mabigyan kami ng katarungan, na 'yun ang pinipigilan ng gobyerno." (Because at least we can see the ICC fighting for our human rights. And we know that the goal of the ICC is to help us find justice, which our government is trying to keep from happening.)

She is one among hundreds of families who submitted their case to the ICC to support its investigation on the crimes against humanity leveled against the Philippine Government. Nanay Abe vows to continue supporting and cooperating with the ICC:

"Pero kami na mga miyembro ng EJK [families] ay handa kami na makipagkaisa sa ICC. Kahit sampung papel, pipirmahan namin 'yan basta't galing sa ICC at hihingi ng pahintulot namin para sumama sa kanila at ipaglaban ang aming katarungan. Kahit sampung pirasong papel, kahit isang kahon na papel, pipirmahan namin 'yan."

(For us EJK families, we are ready to cooperate with the ICC. Even if I have to sign ten papers, I will sign them all as long as they are from the ICC and they want us to be with them in pursuing justice. Even if it's ten documents, even if it's a box of documents, we will sign them all.)

She hopes that the ICC will stand firm and vows to fight alongside them: "Sa ICC, sana huwag niya kaming sukuan. Sana ipaglaban niya kami dahil nandito lang din kami, kakampi nila, at tutulong kami sa kanila sa laban." (To the ICC, I hope they will not give up on us. I hope they will continue fighting with us because we are here for them, we are on the same side, and we will help them in their fight.)

Nanay Abe believes that justice is delivered when a person is held accountable for their actions regardless of their status or rank in society. "Sa akin kasi 'yung hustisya, 'yung kahit ano

She is one among hundreds of families who submitted their case to the ICC to support its investigation on the crimes against humanity leveled against the Philippine Government.

"... because if
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people will get
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generations just
accepted the
situation, because
they were scared."

ka, kailangan managot ka. Panagutan mo 'yung ginawa mo." (For me, justice means you have to be responsible for your actions regardless of who you are. You should be punished for your actions.) Still, Nanay Abe is aware that justice might take a while. She also understands that the act of seeking justice, however long it may take, is vital if we wish to prevent extrajudicial killings from ever happening again:

"Paano na lang tayong mga mahihirap? Para na lang mga langgam? Kaya siguro kailangan talaga, kasi kung hindi namin gagawin ito, nasanay sila noong panahon ng mga nakaraang henerasyon na ang pamilya noon, wala lang, dahil takot. Tapos mauulit na naman ngayon, ano na ang mangyayari?"

(What will happen to poor people like us? Will they just keep treating us like ants? Perhaps it's really necessary (to fight for justice), because if we don't do it, people will get used to it because the previous generations just accepted the situation, because they were scared. This will only keep going, so what will happen then?)

Lydia

This year will mark the sixth death anniversary of Lydia's son, Niko. She now recalls that the moment she learned her son had died, she was certain that Niko had become a victim of the government's so-called war on drugs.

Niko was out with his partner, Julie, when somebody approached them and shot him in the head at close range. Julie rushed for help and called his siblings, but no one saw who the killer was.

"Pagtungtong ng October 11, 2017, alas-diyes ng gabi, bibili siya ng katol. May lumapit sa kaniyang lalaki, binanatan siya. Ayun, tatlong putok at saka nagkagulo na 'yung mga tao. "

(Then came October 11, 2017, it was 10 o'clock at night, he was going to buy mosquito coils. Just like that, three shots were fired and people rushed in a panic.)

When Lydia arrived at the scene, she saw her son lifeless on the ground, his head bloodied. In her shock, she was struck by the seeming indifference of the Scene of the Crime Operatives (SOCO) who were idly poking around the site of her son's killing. Moments later, and without ceremony, they took his body away.

A son, a father

That night, Niko's son Roen had to say goodbye to his father mere months after being reunited. Roen was only eight years old then.

Niko was released from jail in May 2017. Lydia could not find it in her to celebrate because she knew that extrajudicial killings were rampant in her community. She feared for Niko's safety because he was arrested due to alleged drug involvement in 2010—which she knew made him a prime target for then-President Rodrigo Duterte's bloody "drug war." If it were up to Lydia, she would much rather have her son stay in jail where it was safer.

In her shock,
she was struck
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(SOCO) who
were idly poking
around the site of
her son's killing.

Above all else, however, is the fact that Niko's killing had destroyed his family's sense of being whole.

"Awa ng Diyos, inabot naman siya ng limang buwan sa labas."
(With God's grace, he lasted five months outside.)

Lydia wanted justice for her son, and so she went with Julie to the police station to give their statements and ask for an investigation into her son's killing. However, the police were not as receptive as they had hoped. They were told that starting an investigation would be impossible because the family were not able to identify a suspect. Lydia felt that the police were urging them to point out a suspect so as to not have her son join the growing number of Oplan Tokhang victims. But a mother knows and Lydia to this day believes that Niko's death was due to the government's so-called war on drugs.

In the six years that have passed, Lydia and her family, but most especially Roen, still struggle to cope with their loss. In the five months that he was with family, Niko worked multiple jobs, from being a tricycle driver to a *kargador* (porter) in the market. He did all this to ensure that his family would have enough to get by each day. His death meant the loss of one of the family's main income earners, which had a profound impact on their quality of life. Above all else, however, is the fact that Niko's killing had destroyed his family's sense of being whole.

"Iba 'yung may ama 'yung apo ko eh, nandiyan lang sila. Iba 'yung may anak ako eh, nandiyan lang siya, nakasubaybay sa akin, nakasubaybay sa anak niya."

(It would be different if my grandson had a father. It would be different if I had my son, if he's there, watching over me, watching over his son.)

Lydia became Roen's guardian soon after. She not only had to take on the immense responsibility of being a young boy's sole caretaker but also figure out how to help Roen process his grief and trauma—all while dealing with her own loss as a mother. Roen changed drastically in that first year when he exhibited aggressive behaviors and Lydia would often be called

to his school where she had to explain the circumstances that caused the change in her grandson.

Things were difficult to say the least, but Lydia refused to feel helpless and when she learned of an organization documenting cases of human rights violations under the so-called war on drugs, she knew she had to take part and seek justice for her son in any way that she is able.

On Being a Human Rights Defender

Lydia now actively participates in human rights education activities, in monitoring and documentation of human rights violations, and is very keen on helping develop more human rights defenders to protect the children in their area. In all this, Lydia feels responsible in contributing towards the rebuilding of a human rights culture in her community. But her main prayer is to still have the strength to support her grandson Roen, who is now 15 years old and in Junior High School.

Lydia sought professional help for Roen to cope with his grief, which had a positive impact on his behavior over the years. At the same time, Roen had to grow up fast. He knows that he is also his grandmother's support system. He also works as a kargador, just like his father, to lessen Lydia's load. He works during his free time while he attends school. Just like his grandmother, he also participates in human rights education activities.

Niko's death was unnecessary, the aftermath of Niko's death was unnecessary, and what Lydia and Roen had to go through was unnecessary.

Given her experience with the law enforcement's lack of interest in investigating and identifying the killer, Lydia recognized the difficulty of seeking justice through that avenue. As a result, she turned to human rights organizations and the International Criminal Court (ICC) for hope. Along At the same time, Roen had to grow up fast. He knows that he is also his grandmother's support system. He also works as a kargador, just like his father, to lessen Lydia's load

with other families, Lydia submitted a communication to the ICC in 2020, urging them to investigate the widespread human rights violations committed by the Philippine government. She keeps abreast of the progress of the ICC proceedings.

However, the Philippine government is insisting that local investigations are taking place, while expressing unwillingness to participate in the ICC proceedings. Lydia realized that the burden of securing justice falls heavily on the families left behind, particularly when it comes to their own safety and security.

In the early months of 2023, Lydia experienced a series of visits from the police. In total, three law enforcers visited her home. The initial two visits occurred in February. During these visits, the cops confirmed Lydia's identity and inquired about her legal intentions regarding the case. The second visit took place in March, during which the cop even sought out Roen.

The visits caused immense stress for Lydia, as they triggered the trauma of her son's death. The police were intimidating, pressuring her to sign a waiver stating that she and her family would no longer pursue justice for the case, especially since they could not provide a suspect. Lydia experienced a mix of anger, confusion, and fear. She felt frightened by the sudden visits and harassment, which coincided with the ICC proceedings.

Lydia was fearful not only due to the uncertainty of the situation but also due to the high likelihood that her non-cooperation could put her or Roen's life at risk.

Seeking guidance from friends in the human rights community, Lydia recognized that it would be unjust to simply relinquish her claim for justice for her son and for his life that was tragically taken away. Ultimately, Lydia refused to sign the waiver.

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No Longer Scared

Despite being aware of the government's efforts to protect itself, the former president Rodrigo Duterte, and his officials who spearheaded the so-called war on drugs, Lydia remains steadfast in her refusal to succumb to fear. Her pursuit of justice extends beyond seeking it solely for her son; she is determined to seek justice for the thousands of lives that have been and continue to be affected.

"Wala pa hong nakakamit ng katarungan dahil wala naman din hong pagbabago. Ang administrasyong Duterte at saka administrasyong Marcos ay nararamdaman ko lang na iisa ang layunin nila."

(There is no justice because nothing has changed. I feel that the Duterte and Marcos administrations have the same aims.)

Lydia acknowledges that the change in administration following the 2022 national elections did not help her feel safer and, in fact, hindered her hopes for justice. Despite feeling discouraged by this development, she has developed a profound appreciation for the challenges she faces.

"Siguro masasabi kong malaya na ang mga tao, nakamit na ang katarungan ng mga tao kung may taong nagkamali pero binigyan ng pagkakataon para mabuhay. May makita lang akong isang ganu'n, ako na ang didiga, ako na ang magsasalita."

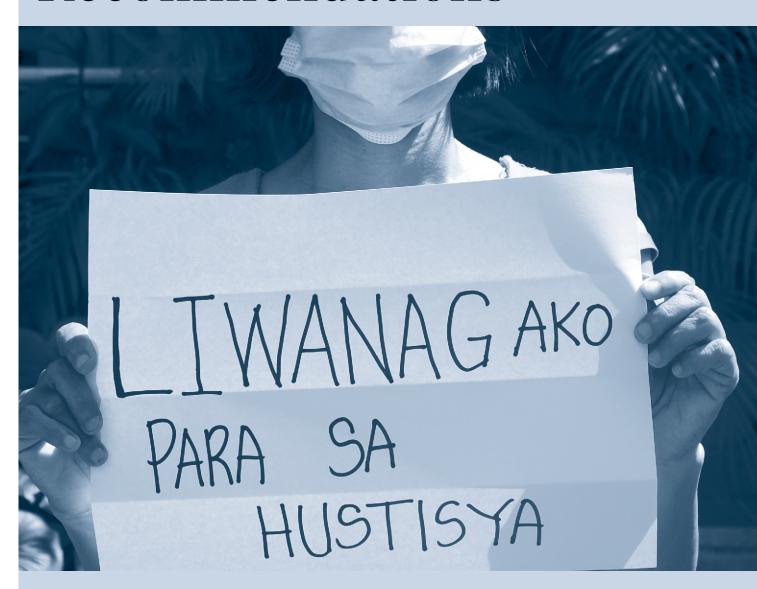
(Perhaps I will say that people are free, that justice has been achieved, if people who made mistakes were given the chance to live. If I see that, even once, I will speak up.)

In her journey, Lydia has discovered a supportive community that has enabled her to trust in her own strengths. This community has played a pivotal role in helping her assert her rights and take ownership of her pursuit of justice. Thanks to their unwavering support, Lydia has found determination to continue fighting for justice.

"Hindi na ako duwag. Tumapang na ho ako." (I am no longer scared. I have become brave.)

Lydia acknowledges that the change in administration following the 2022 national elections did not help her feel safer and, in fact, hindered her hopes for justice.

IV. Conclusions and Recommendations



Conclusions

The so-called war on drugs, waged so violently by the Duterte administration for six years, has left a trail of destruction in its wake.

With thousands dead-6,252 as of May 2022 according to the Philippine Drug Enforcement Agency (PDEA) and as many as 30,000 based on estimates of human rights organizations—Duterte's "war on drugs" has precipitated a full-blown human rights crisis that furthered a climate of impunity, injustice, and fear.

The families left behind now confront a terrifying reality. The first year of Ferdinand "Bongbong" Marcos Jr.'s administration confirmed what many feared: that the "war on drugs" would continue and that the justice-seeking efforts of families left behind would be thwarted.

Yet, more and more victims' families are joining hands and taking on the cause of justice. Their stories may be of loss and grief, but there is also an unfolding story of empowerment, tenacity, and a profound reclaiming of dignity. Indeed, their commitment and determination in the face of harassment and threats are a staggering reminder of the potency of collective action.

They heeded the call to fight. Now, they are turning the tide.

Recommendations

To the Philippine government to cooperate fully with the ongoing investigation of the International Criminal Court (ICC) on the alleged crimes against humanity committed in the country between November 2011 and March 2019 in the context of the so-called war on drugs. Cooperation should mean ending all forms of direct and indirect harassment of families participating in the ICC processes, cases of which are documented in this report, as well as providing full

assistance to the investigation team and unfettered access to case files, witnesses, informants, and families of victims of alleged extrajudicial killings committed during this period.

We also call on the Philippine government to revamp its new anti-illegal drug program Buhay Ingatan Droga'y Ayawan (BIDA) which still places importance on law enforcement operations, use of State violence, threats, and harassment as strategies. Instead, we recommend the crafting of a new policy that takes on longstanding proposals for a public health and harm reduction-based framework for addressing the illegal drugs problem. Consultations with experts on these frameworks are critical in shaping a human rights-based solution to the illegal drug problem.

Further, any new anti-illegal drug policy moving forward must abandon any and all traces of the Duterte regime's Oplan Tokhang and the culture of violence it represents.

To the President to explicitly reject his predecessor's long history of statements inciting State violence against drug suspects, acknowledge the systemic violations that were committed in the context of the so-called war on drugs, and commit to spearheading the efforts to exact accountability against all perpetrators—regardless of position and rank, held then or currently.

To the Philippine National Police (PNP) to revoke all issuances pertaining to the campaign against illegal drugs which have directly and indirectly led to widespread human rights violations. Further, its Internal Affairs Service (IAS) should be given full independence to pursue investigations on erring members of the police force that are alleged to have perpetrated human rights violations. The PNP must also commit to far-ranging reforms that will ensure that all police

operations will be guided by the principles and standards of international human rights law.

To the Department of Interior and Local Government (DILG) to spearhead a systemwide reformation of all law enforcement agencies and units to disavow State violence, fully reintegrate human rights education in all capacity-building and training initiatives, and enforce accountability for upholding human rights on all levels of operations.

To the Department of Justice (DOJ) to commit to its mandate of upholding the rule of law by significantly expanding the scope of its ongoing review of the conduct of anti-illegal drug operations during the Duterte administration. Full transparency and cooperation with the Commission on Human Rights (CHR) on this inquiry is imperative if the DOJ is at all serious in its claims that local accountability mechanisms are working towards delivering justice to the victims of the so-called drug war.

To the Department of Health (DOH) to put forward a comprehensive public health policy that adopts strategies proven to be effective in combating illegal drug use and addiction while reducing harm. A public health-based policy must also, at its core, recognize the inherent dignity of all persons at every stage of intervention.

To the Department of Social Welfare and Development (DSWD) to open its doors to the thousands of families affected by the nearly seven-year-long "war on drugs" by instituting a multimodal program that addresses the multitude of socioeconomic and psychosocial impacts that have been barely documented let alone addressed. These impacts have driven large numbers of families deeper into poverty and

furthered their marginalization. If left unaddressed, the costs to society at large are posed to create ripples of problems in the medium and long-term.

To the Commission on Human Rights (CHR) to fast-track its ongoing investigations into alleged cases of human rights violations in the context of the so-called war on drugs and commit to advocating for prosecution for all confirmed cases. The Commission is also called upon to assert its independent participation in any and all government inquiries relating to the conduct of the anti-illegal drug campaign. Finally, we also call on the Commission to facilitate broadening legal, extralegal, and support services made available to victims and their families.

To civil society organizations (CSOs) to intensify all efforts to document, assist, educate, and organize community stakeholders and families of victims towards claiming and defending their rights. CSOs and grassroots organizations are enjoined to cooperate in pursuing and sustaining human rights-based interventions and support for victims, families, and communities.

To the media, to intensify its coverage on the conduct and effects of the anti-illegal drug campaign and to expand its reporting to more meaningfully include the voices and stories of those most affected. Given that media workers are also under threat, the media are encouraged to seek stronger cooperation and identify more areas for dialog with support organizations to ensure that the important work of bringing accurate information to the public continues.

To academic institutions to integrate the study of human rights, its history, concepts, and principles, into the

curriculum at all levels. This act is key to countering the ongoing distortion of human rights and stigmatization of human rights defenders. In the face of worsening human rights conditions, rebuilding a human rights culture through the education of our youth is critical.

To research institutions to continue to pursue more comprehensively the work 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 be circumspect with the Marcos Jr. administration's pronouncements towards reaffirming its commitment to fulfill its international human rights obligations. The past year has shown a deliberate and concerted reframing of the Philippine government's engagement on human rights issues from Duterte's brazen hostility to the current administration's slicker, more conciliatory language. The insincerity should be obvious. No amount of reassurance can conceal the reality on the ground that the violence is continuing and that justice remains unheeded.

The international community must therefore continue 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.

To the United Nations Human Rights Council (UN HRC) to call for an independent and impartial investigation through

a fact-finding mission or a Commission of Inquiry to surface the truth of these human rights violations. Likewise, the International Criminal Court (ICC) is asked to continue their ongoing investigation into the Philippine situation, reject the Philippine government's persistent efforts to deflect accountability, and speed up the process involving the alleged crimes against humanity committed under the so-called war on drugs.

To the public to be critical, resist disinformation and misinformation, and engage in civic and political action to counter the impacts of this ongoing human rights crisis. We also call on the public to marshal support for the victims and their families in seeking justice and demanding accountability.

The Filipino people must claim and defend their rights at all costs and hold accountable those who seek to undermine them.

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