

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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PHILIPPINES: ENSURE LONG-AWAITED ACCOUNTABILITY FOR “WAR ON DRUGS”

Amnesty International calls on President Marcos and the Department of Justice to undertake a full investigation into the admissions by former President Rodrigo Duterte and other high-ranking officials who have appeared before Senate and Congressional hearings initiated on the “war on drugs” and act decisively to deliver justice and reparations to the families of victims. The organisation welcomes news that a task force of the Department of Justice is investigating recent admissions by Duterte and others, and that this task force will also build cases against and prosecute those suspected of responsibility for thousands of extrajudicial executions committed in the context of the ongoing “war on drugs.”

Domestic accountability for these violations is long overdue, despite multiple allegations of crimes against humanity and other serious human rights violations documented since 2016 and prior to this when Duterte was mayor of Davao City.

On 28 October, former Duterte appeared before a Senate Committee where he admitted that he maintained a “death squad” to kill alleged criminals during his years as Davao City mayor. He identified other high-ranking police commanders who he said were also involved in death squads, though he later said that his “death squad” was composed of “gangsters” and not police officers. During his appearance, Duterte also said that he told police to “encourage” alleged suspects to fight back, so they could kill them and that he offered, “no excuses” and “no apologies” for his actions as he did “what I had to do...for my country.”

His explosive admission followed incriminating testimony from former police colonel Royina Garma that Duterte asked her to replicate the ‘Davao model’ – a direct reference to death squads and unlawful killings – once he became President and that police were paid cash rewards for killing people suspected to be using or selling drugs. A 2017 Amnesty International report documented how police officers allegedly received cash rewards ranging from PhP 8,000 to 15,000 (USD 135 to 254) for each suspected drug offender killed.

On 13 November, Duterte attended a Lower House hearing on the drug war where he made further admissions of responsibility. Among them, he appeared to admit to killing six people including police officers he claimed were corrupt. He also challenged the International Criminal Court (ICC), which is carrying out an investigation into crimes against humanity in the Philippines, defying them to “hurry up”.

Senate hearings on the war on drugs began last month, while those of the Lower House started in August 2024. Hearings have involved appearances by the former President and other high-level authorities during the previous administration who have been called to testify.

During his presidency from 2016 to 2022, Duterte made no secret of his intention to order killed those suspected to be using or selling drugs. Amid constant incitement from him and others in his government, thousands of unlawful drug-related killings were committed by police.

Investigations by Amnesty International documented the widespread and systematic nature of extrajudicial executions during the Duterte administration, as well as other serious crimes under international law, including torture and other ill-treatment and arbitrary arrest and detention. Amnesty International also found evidence of strong links between state authorities and other armed persons who carried out drug related killings, as well as payments to these persons to kill those suspected to be using or selling drugs. Victims in the cases examined by Amnesty International were overwhelmingly living in poverty or belonged to other marginalized communities.

Since Duterte left office, the Marcos government has failed to credibly investigate, let alone prosecute, those suspected of committing and ordering extrajudicial executions despite promises to deliver “real justice in real time” for victims of the “war on drugs.”

In investigating and prosecuting extrajudicial executions carried out by the police or by paid killers with police involvement, the government must explore the possibility that these crimes under international law could amount to crimes against humanity.

Where investigations uncover sufficient, admissible evidence of criminal responsibility for crimes under international law, including extrajudicial executions and involvement in murders by paid killers, the government should ensure genuine criminal prosecutions. Investigations must include persons with command or superior responsibility, irrespective of rank or status, where there is reasonable suspicion of involvement extending to the highest echelons of the police and politicians with superior responsibility over the police, including then-President Duterte.

The DOJ investigation and any subsequent prosecutions would complement the ongoing investigation by the International Criminal Court into suspected crimes against humanity in the “war on drugs” between 2011 and 2019, during the period when Duterte was mayor and subsequently President.

In 2019, the Philippines withdrew from the jurisdiction of the ICC in order to avoid its scrutiny. As the ICC’s investigation does not span the entire duration of Duterte’s term as President, it is even more important that a full and effective domestic investigation is carried out.

Although the government has said it will not rejoin the ICC, it still has a legal obligation to cooperate fully with the investigations by the court concerning the situation prior to its withdrawal. Amnesty International continues to call on the Philippine government to cooperate fully with the ICC’s investigation and rejoin as a State Party to the Rome Statute.