**Human Rights Challenges in addressing and Countering
all aspects of the world drug problem**

Submitted by Rise Up for Life and for Rights
Deaconess Rubylin Litao, Coordinator

rise.up.phils@gmail.com

for the Office of the High Commissioner on Human Rights
United Nations

20 May 2023

1. Widespread and systematic killings proliferated under the anti-illegal drugs policies of former President Rodrigo Duterte which violated the *right to life and liberty* of thousands of individuals, and affected the economic, psycho-social, and cultural welfare of families and entire communities.
2. *Rise Up for Life and for Rights* is a network of church people, human rights advocates, and the victims and families of the affected communities in the Philippines working in defense of life and protection of human rights particularly against drug-related killings. It was founded in response to the “war on drugs” campaign of former President Rodrigo Duterte.
3. The United Nations Human Rights Council has pledged to assist the Philippines in investigating right violations and abuses in relation to the so-called “war on drugs”[[1]](#footnote-2), after eleven experts[[2]](#footnote-3) and at least thirty-five countries[[3]](#footnote-4) [[4]](#footnote-5)called attention to the situation.
4. The effectiveness of domestic investigation is a core issue before the International Criminal Court, which opened a preliminary examination into crimes against humanity in February 2018.[[5]](#footnote-6) An investigation by the prosecutor to determine personalities accountable has yet to resume.
5. Baseline information from the UNHCHR Report[[6]](#footnote-7) on the situation of human rights in the Philippines include:
	1. At least 8,663 people have been killed, with some estimates putting the real toll at almost 30,000.
	2. Post operational police reports contained strikingly similar language, and there are suggestions that guns are planted and recycled as evidence by police.
6. Rise Up for Life and for Rights has documented widespread violations of human rights, especially in urban poor areas. In addition to creating a climate for violations of the *right to life* (extra-judicial killings), the following are also human rights challenges created by the so-called ‘war on drugs’ in the Philippines:
	1. “House to House” operations - The main component in the official police directive[[7]](#footnote-8), is “tokhang” or “house-to-house visitations” for illegal drug personalities in the “barangays” or local small communities. These visitations were usually conducted without search or arrest warrants and were based solely on an individual’s inclusion on unverified drug watch-lists compiled by barangay officials and passed on to the police.
	2. Drug watch-lists - Target persons are put in drug lists by the different government agencies and offices. The lack of transparency, fairness, and due process has allowed this practice to be abused with political wrangling and patronage. Former President Duterte even published his own list of government officials allegedly involved in the drugs trade.[[8]](#footnote-9) These individuals have no legal recourse to challenge their inclusion in the list, and are forced to make self-incriminating statements.
	3. “Nanlaban”, planted evidence (guns and drugs), violations of protocols – Police floated self-defense (“nanlaban” or “suspect fought back”) to account for the killings. Police internal affairs interpreted it to mean exemption from any form of prosecution. Despite clear police processes to follow when a person dies during a police operation, very few cases have been thoroughly investigated. In two cases where police have been convicted for drug-related killings, the courts have noted torture, planting of evidence, and various violations of police protocols.[[9]](#footnote-10)
	4. “Vigilante” and “Found-Dead-Body” killings – The real number of killings should be a combination of killings under police operations and other homicides or unnatural deaths. Self-confessed vigilante assassins who had worked under Duterte have claimed that vigilantes are supported and enabled by the police, if not the police themselves.[[10]](#footnote-11) [[11]](#footnote-12)
	5. Death certificates citing natural causes for drug-related killings – Three of the drug-war killings victims with *Rise Up for Life and Rights* were mis-certified/falsified as deaths by natural causes on their death certificates. Expert Dr. Raquel Fortun, in examining other deaths, exposed other cases of deliberate errors on death certificates of victims.[[12]](#footnote-13)
	6. Disappearances, secret jails and extortion – Because of the climate of impunity, there are recorded cases of disappearances, secret jail cells holding unaccounted arrestees, and pay-for-release mechanisms.
	7. Pressure to Perform/Quotas for Police – At street level, the quota and reward system are major motivations to commit abuses. Police are required to comply with schedules and deliver arrests, and are paid bonuses/rewards for killings in drug operations.[[13]](#footnote-14) *One-time, big-time operations* demonstrated sharp upticks in killings.[[14]](#footnote-15) A recent exposé on the “quota system” came from former police colonel, now Representative Bonifacio Bosita, in Congress; he explained quotas pressured police to make shortcuts, and shared that he once was relieved from his post because drug personalities on his watch-list surrendered “only.”[[15]](#footnote-16)
7. A climate of impunity for these violations of human rights prevails as there is no substantial, effective, and comprehensive domestic investigation into the killings and abuses committed under the pretext of Duterte’s “war on drugs”. Victims of rights violations have been unable to pursue remedies under a prevalent climate of fear and impunity, and more pointedly, have been unable to access the justice system with massive institutional challenges.
8. The killings still continue under the incumbent Philippine president Ferdinand R. Marcos, Jr. Research and advocacy project Dahas of the University of the Philippines Third World Studies reported at least 294 drug-related killings from
1 July 2022 – 15 May 2023 under the Marcos Jr. administration.[[16]](#footnote-17)
9. Police complicity, not only in the killings of persons in the implementation of the “war on drugs” but in the drug trade itself, has been exposed in the discovery of almost seven billion pesos worth of methamphetamine under the custody and control of a police officer in a Manila drug bust in October 2022.[[17]](#footnote-18) Incumbent Interior Secretary Benjamin D. Abalos, Jr, later accused top police and anti-drug enforcement officers of involvement in a cover-up of the irregularities in the operation.[[18]](#footnote-19)
10. The arrest of thousands of drug suspects has also exacerbated prison conditions. The Philippines has the second highest prison population density in the world, at 463% capacity nationwide.[[19]](#footnote-20) Slow court processes, combined with voluminous arrests under the “war on drugs”, and further court delays under pandemic lock-downs are among drivers for congestion in detention facilities. Simultaneously, there is an inadequate number of rehabilitation centers to bridge towards a health-centered response to the drug problem.[[20]](#footnote-21)
11. *Rise Up for Life and for Rights* journeys with families affected by drug-related killings. Many of those lost were bread-winners. Almost all Rise Up families report incomes in the range of P4,000 and P8,000 per month[[21]](#footnote-22), as scavengers, laundry-service women, street vendors, construction workers, tricycle drivers, fish-port porters, and other odd jobs in the informal labor sector.
12. Already suffering from inadequate basic and social services before the onslaught of the so-called “war on drugs,” after drug-related killings the Rise Up families identified an intensification of economic vulnerabilities. Families left behind could not imagine filing cases against the perpetrators of the drug-related killings without assistance from Rise Up due to economic hardship.
13. The social costs of drug-dependence and street-level criminality/conflict-with-the-law/lawfare will continue to afflict poor communities. Addressing poverty and other root causes of drug-use and drug-peddling through health and other social programs would be a better use of government resources; this will only be practicable when the Philippine government attends to the corruption and connivance of officials and state forces with producers, traders and distributors of illegal drugs. Healing should begin with holding accountable those most-responsible for the extra-judicial killings of thousands as well as other widespread and systematic violations of human rights in the Philippines.#
1. Resolution / adopted by the United Nations Human Rights Council, Technical cooperation and capacity-building for the promotion and protection of human rights in the Philippines,, 7 October 2020, available for download at: <https://digitallibrary.un.org/record/3888664?ln=en> [↑](#footnote-ref-2)
2. Press release from the Office of the High Commissioner on Human Rights: *UN human rights experts call for independent probe into Philippines violations*, June 7, 2019. Available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24679> [↑](#footnote-ref-3)
3. UN Resolution filed by Iceland, Protection of Human Rights in the Philippines, 5 July 2019 , available at: <https://www.stjornarradid.is/lisalib/getfile.aspx?itemid=2a0ba27b-a3c8-11e9-9443-005056bc4d74> [↑](#footnote-ref-4)
4. Prior to the vote on the Iceland Resolution, 35 states had signed up as co-sponsors;.18 countries voted yes on the resolution, 15 abstained, while 14 were opposed. Government of Iceland ´s resolution on the situation in the Philippines approved in the UN Human Rights Council, 11 July 2019, available at: <https://www.government.is/diplomatic-missions/embassy-article/2019/07/11/Icelands-resolution-on-the-situation-in-the-Philippines-approved-in-the-UN-Human-Rights-Council-/> [↑](#footnote-ref-5)
5. International Criminal Court, ICC-01/21-12, Decision on the Prosecutor’s request for authorisation of an investigation pursuant to Article 15(3) of the Statute,15 September 2021, Download available at: <https://www.icc-cpi.int/court-record/icc-01/21-12> [↑](#footnote-ref-6)
6. Report Of The United Nations High Commissioner For Human Rights, Situation Of Human Rights In The Philippines, 29 June 2020, A/HRC/44/22. The full text is available at: <https://www.ohchr.org/Documents/Countries/PH/Philippines-HRC44-AEV.pdf>. [↑](#footnote-ref-7)
7. Philippine National Police Command Memorandum Circular No. 16-2016 on “Project Double Barrel”. The full text is available at [https://didm.pnp.gov.ph/images/Command%20Memorandum%20Circulars/CMC%202016-16%20PNP%20ANTI-ILLEGAL%20DRUGS%20CAMPAIGN%20PLAN%20%20PROJECT%20DOUBLE%20BARREL.pdf](https://didm.pnp.gov.ph/images/Command%20Memorandum%20Circulars/CMC%202016-16%20PNP%20ANTI-ILLEGAL%20DRUGS%20CAMPAIGN%20PLAN%20PROJECT%20DOUBLE%20BARREL.pdf). [↑](#footnote-ref-8)
8. *President Duterte bares names of narco-politicians*, Presidential communications Operations Office, 15 March 2019, Available at https://pcoo.gov.ph/news\_releases/president-duterte-bares-names-of-narco-politicians/ [↑](#footnote-ref-9)
9. Philippine Star, Caloocan Cop Convicted of Torture, Planting of Evidence, <https://www.philstar.com/headlines/2022/11/23/2225898/c>[aloocan-cop-convicted-torture-planting-evidence-carl-kulot-drug-war-cases](https://www.philstar.com/headlines/2022/11/23/2225898/caloocan-cop-convicted-torture-planting-evidence-carl-kulot-drug-war-cases) [↑](#footnote-ref-10)
10. The New York Times, Charge Rodrigo Duterte With Mass Murder, Lawyer Tells The Hague, 24 April 2017, available at: <https://www.nytimes.com/2017/04/24/world/asia/rodrigo-duterte-philippines-icc-complaint.html> [↑](#footnote-ref-11)
11. Human Rights Watch Report, The Philippines’ Duterte Incited Vigilante Violence, 19 April 2017, available at:

 [https://www.hrw.org/news/2017/04/19/philippines-duterte-incites-vigilante-violence#:~:text=Human%20Rights%20Watch%20research%20has,%2Dsquad%2Dstyle%20extrajudicial%20executions](https://www.hrw.org/news/2017/04/19/philippines-duterte-incites-vigilante-violence%22%20%5Cl%20%22%3A~%3Atext%3DHuman%20Rights%20Watch%20research%20has%2C-squad-style%20extrajudicial%20executions). [↑](#footnote-ref-12)
12. CNN Philippines, Forensic expert reveals doctors ‘miscertify’ drug war victims cause of deaths, 3 February 2023, available at: <https://www.cnnphilippines.com/news/2023/2/3/Raquel-Fortun-drug-war-victims-cause-of-deaths.html> [↑](#footnote-ref-13)
13. Guardian, Philippines police paid to kill alleged drug offenders, says Amnesty, 31 January 2017, available at: <https://www.theguardian.com/world/2017/jan/31/philippines-police-paid-to-kill-alleged-drug-offenders-says-amnesty-rodrigo-duterte> [↑](#footnote-ref-14)
14. Rappler, How the PNP’s one-time, big-time operations work, 27 August 2017, available at: [https://www.rappler.com/newsbreak/iq/180234-how-one-time-big-time-operations-work-pnp-explainer/#:~:text=By%20the%20PNP's%20own%20definition,cops%20deployed%20at%20a%20time](https://www.rappler.com/newsbreak/iq/180234-how-one-time-big-time-operations-work-pnp-explainer/%22%20%5Cl%20%22%3A~%3Atext%3DBy%20the%20PNP%27s%20own%20definition%2Ccops%20deployed%20at%20a%20time). [↑](#footnote-ref-15)
15. Philippine Inquirer, Crucial evidence? Solon says Bosita’s admission of PNP ‘quota system’ can be used vs Duterte in ICC, 27 April 2023, available at: <https://newsinfo.inquirer.net/1762002/solon-says-bositas-quota-system-admission-can-be-used-vs-duterte-in-icc> [↑](#footnote-ref-16)
16. Project Dahas website of at <https://dahas.upd.edu.ph/> with inforgraphic materials posted on 16 May 2023 available at FB page: <https://www.facebook.com/photo?fbid=690213663114669&set=pb.100063781251010.-2207520000> [↑](#footnote-ref-17)
17. Inquirer.net, PNP seizes P6.7 billion worth of shabu; Abalos says it’s ‘biggest drug haul to date’, 9 October 2022, available at: <https://newsinfo.inquirer.net/1677515/pnp-seizes-p6-7-billion-worth-of-shabu-abalos-says-its-biggest-drug-haul-to-date>; CNN Philippines, ‘There are still missing illegal drugs’ from ₱6.7-B shabu haul, PNP admits, 16 April 2023, available at: <http://www.cnnphilippines.com/news/2023/4/16/missing-shabu-from-P6-billion-haul.html>. [↑](#footnote-ref-18)
18. Rappler.com, Police generals covered up cop’s arrest in massive shabu bust – Abalos, 11 April 2023, available at: <https://www.rappler.com/nation/police-generals-allegedly-covered-up-rodolfo-mayo-arrest-shabu-bust-napolcom/>; Philippine News Agency, Abalos identifies PNP members linked to P6.7-B shabu haul, 10 April 2023, available at: <https://www.pna.gov.ph/articles/1199115> [↑](#footnote-ref-19)
19. Peace for Asia Report, Jailed in Philippines Extremely Overcrowded Amid Drug War Arrest, 31 March 2021, available at: https://peaceforasia.org/jails-in-the-philippines-extremely-overcrowded-amid-drug-war-arrests/ [↑](#footnote-ref-20)
20. As of March 2022, the Philippine government reported a total of only 74 accredited government (31) and private (43) Drug Abuse Treatment and Rehabilitation Centers in the country. Philippine News Agency, 480-bed capacity drug rehab center opened in Cavite, 24 June 2022, available at: <https://www.pna.gov.ph/articles/1177464> [↑](#footnote-ref-21)
21. Around USD$70 to USD$140.00. [↑](#footnote-ref-22)