



## PHILIPPINES

### Joint Stakeholder Report for the United Nations Universal Periodic Review

Submitted by **The Advocates for Human Rights,**

a non-governmental organization in special consultative status with ECOSOC since 1996  
and

**The Initiatives for Dialogue and Empowerment through Alternative Legal Services, Inc.  
(IDEALS),**

a non-governmental organization based in Manila, Philippines

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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States.

**The Initiatives for Dialogue and Empowerment through Alternative Legal Services, Inc. (IDEALS, Inc.)** is a non-stock, non-profit legal-focused advocacy and service institution. It was organized to address the legal and technical needs of marginalized, disempowered, and vulnerable groups, particularly agrarian reform beneficiaries, farmer-traders, the migrant sector, persons and communities affected by disasters, and victims of human rights violations. In 2017, IDEALS, Inc. launched its own program of documenting incidents related to the campaign against illegal drugs to determine the impact it left on the victims and their families. Such information is collected through interviews with the victims and/or their families and witnesses. Through these in-depth interviews, IDEALS was able to collect demographic information, as well as information on the conduct of operations of the Philippine National Police (PNP) or vigilantes, and the socio-economic impact left by the incidents.

## EXECUTIVE SUMMARY

1. A central electoral promise of President Rodrigo Duterte was to combat illegal drugs in the Philippines. State actors, in the name of this campaign against illegal drugs, have engaged in widespread extrajudicial killings and illegal detentions. State actors are not held responsible for these human rights violations and victims lack access to justice. The Philippines has also withdrawn from the Rome Statute, which may further indicate issues associated with State impunity.
2. Following his 2016 presidential win, Duterte implemented *Oplan Tokhang*, which allowed the Philippine National Police (PNP) to round up possible suspects for possession of illegal drugs. An estimated 12,000-30,000 civilian lives<sup>1</sup> have been claimed by the campaign against illegal drugs. Police operations, made legitimate under *Oplan Tokhang*, frequently violate citizens' constitutionally guaranteed rights. Police actions disproportionately affect the poor and working class, particularly in Metro Manila.<sup>2</sup> Detainees often lack due process and State parties act with impunity.
3. **Methodology:** In 2017, IDEALS, Inc. launched its own program of documenting incidents related to the campaign against illegal drugs to determine the impact it left on the victims and their families. Such information is collected through interviews with the victims and/or their families and witnesses. Through these in-depth interviews, IDEALS was able to collect demographic information, as well as information on the conduct of operations of the PNP or vigilantes, and the socio-economic impact left by the incidents.

### I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

**Acceptance of international norms (Theme A12); Cooperation with special procedures (Theme A24); Constitutional and legislative framework (Theme A41); Institutions and policies – general (Theme A42)**

#### **Status of Implementation: Partially Accepted, Not Implemented**

4. The Government of the Philippines accepted two of twelve recommendations on the acceptance of international norms. It supported recommendations to bring its campaign against illegal drugs in line with international standards.<sup>3</sup> It noted recommendations to ratify and/or implement numerous human rights conventions, including the Rome Statute of the International Criminal Court and the International Convention for the Protection of All Persons from Enforced Disappearances.<sup>4</sup> The Philippines has not implemented these recommendations.
5. The Government of Philippines noted all nine of the recommendations it received on cooperation with special procedures. Six of the recommendations asked the Government to invite or permit a country visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions.<sup>5</sup> The Philippines has not implemented these recommendations.
6. The Philippines supported the United States of America's recommendation to "[e]nsure that all counter-narcotics operations are conducted in conformity with constitutional protections and international human rights obligations."<sup>6</sup> The Government, however, has not implemented this recommendation. The Philippines also noted Maldives' and Angola's

recommendations to adopt domestic legislation in line with international human rights standards to control its campaign against illegal drugs.<sup>7</sup> The Government has also not implemented these recommendations.

7. The Philippines supported ten recommendations to “[g]uarantee,” “[e]nsure,” or “[c]ontinue efforts to,” align the campaign against illegal drugs with international human rights standards; to “protect” its citizens against drugs; or to use “human-centered approaches” in its drug policies.<sup>8</sup> The Government has not implemented these recommendations.
8. The Philippines noted five recommendations to bring its campaign against illegal drugs in line with international norms on torture; extrajudicial, summary, and arbitrary executions; and best practices with regard to “prevention and alternative sanctions.”<sup>9</sup> The Philippines has not implemented these recommendations.
9. In March 2018, the Philippines announced its withdrawal from Rome Statute which put it under the jurisdiction of the International Criminal Court (ICC). This took effect a year later in 2019. President Duterte defended this move by saying that the Government had enough domestic mechanisms to ensure the functioning of the justice system. While this move would divest the ICC of jurisdiction for violations committed after the withdrawal, the cases up until the effectivity of the withdrawal in March 2019 would still be subject to the jurisdiction of the court and should be investigated.<sup>10</sup>
10. In August 2021, the Office of the Prosecutor of the ICC allowed for submissions of representations from victims and/or survivors of human rights violations related to the campaign against illegal drugs. These representations were meant to provide the ICC with greater insight into potentially opening an investigation into these incidents. Hundreds of families submitted representations, with many expressing that they would prefer an investigation by the ICC because of their distrust, in terms of both capacity and fairness, of an investigation by the Philippine Government.
11. The Prosecutor later suspended the subsequent probe due to the Philippines’ request for a deferral,<sup>11</sup> delaying the chance for the international community to investigate these incidents further.

**Right to an effective remedy (Theme B51); Impunity (Theme B52); Administration of justice and fair trial (Theme D:51)**

**Status of Implementation: Partially Accepted, Not Implemented**

12. The Philippines supported Azerbaijan’s recommendation to “[c]ontinue its efforts on improving access to justice.”<sup>12</sup> The Government noted, however seven recommendations to “[c]onduct...independent and impartial inquir[ies]” into and end impunity in cases of extrajudicial and unlawful killings and enforced disappearances.<sup>13</sup> The Philippines has not implemented these recommendations.
13. The Government of Philippines supported the United States of America’s recommendation to “[s]trengthen criminal justice reform efforts in order to ensure a speedy and fair trial for all accused,” though it has not implemented this recommendation.<sup>14</sup> The Government noted fifteen of the seventeen recommendations it received on the administration of justice and fair trials, four of which specifically recommend ensuring the administration of justice

within the context of the campaign against drugs.<sup>15</sup> Several others reference detention, investigation, and killings by State forces. These recommendations have not been implemented.

14. Victims of the campaign against illegal drugs and their families are also left with little to no access to justice. The Department of Justice released information on 52 of its investigations into human rights violations committed by State actors during the campaign against illegal drugs.<sup>16</sup> IDEALS, however, has documented 654 violations and national estimates by human rights groups have placed the number of violations by State actors in the campaign against illegal drugs as nearing tens of thousands<sup>17</sup>, far short of the 52 cases undertaken by the Department of Justice.
15. Those investigations being conducted by the Government are an insufficient response to widespread human rights violations. The lack of an official investigation into violations is compounded by the victims' fear of retaliation from State authorities for reporting, as the former feel a legitimate fear that the perpetrators of these crimes will target their family members should they report these incidents.
16. State actors arbitrarily arrest and detain individuals, often without a warrant or legal basis, in pursuit of the campaign against illegal drugs. State actors frequently detain individuals for longer than the period permitted under Philippine law.<sup>18</sup>
17. Many victims have reported that the PNP operated from a drug watch list that contains the names and aliases of alleged drug users in their communities. These watch lists violate the constitutional rights of persons to due process and the principle of the presumption of innocence.<sup>19</sup> The watch lists prematurely mark individuals as guilty of drug-related crimes before arrest, investigation, and trial.

**Right to life (Theme D21); Extrajudicial, summary or arbitrary executions (Theme D22); Prohibition of torture and cruel, inhuman or degrading treatment (Theme D25); Enforced disappearances (Theme D32)**

**Status of Implementation: Not Accepted, Not Implemented**

18. The Government of the Philippines noted all sixteen recommendations it received with regard to the right to life.<sup>20</sup> This included three recommendations that specifically called for the cessation of violations of the right to life within the context of the Government's campaign against illegal drugs.<sup>21</sup> The Government has also noted all eleven recommendations on extrajudicial, summary, or arbitrary executions.<sup>22</sup> The Philippines has not implemented these recommendations.
19. The Philippines noted the five recommendations it received on the prohibition of torture and cruel, inhuman, or degrading treatment, and the four recommendations it received on enforced disappearances.<sup>23</sup> Many of these recommendations specifically address these human rights themes within the context of the campaign against drugs. The Government has not implemented these recommendations.
20. Since 2017, IDEALS has documented a total of 654 incidents of human rights violations that are linked to the campaign against illegal drugs. Of these, 374 are extrajudicial killings. There have also been 262 recorded incidents of arbitrary detention committed by State agents against civilians. Of the 654 recorded human rights violations, 18 are other types of

human rights violations, ranging from sexual crimes like rape and “sex for freedom” schemes (where arrested women are coerced into having sex with policemen to be freed from detention), threats and intimidation, and physical injuries.

21. Families of documented extrajudicial killings have identified the perpetrators as State actors, such as members of the PNP and other uniformed personnel. Witnesses report that perpetrators often wear civilian clothing. The police are known to the witnesses as the former are members of the same community.
22. Despite statements by government officials that the drug watch list which contains the names and aliases of alleged drug users in the community does not operate as a hit list for the police, families believe that once one is on the drug list, it is likely for them to be targeted by the police. President Duterte himself has alluded to the possibility of the police killing individuals on the watch list.<sup>24</sup>
23. State forces also utilize the *palit-ulo* scheme. Under this scheme, the police threaten to imprison or kill individuals who often have been arrested illegally or without a warrant unless the arrestees name others who may take their place.<sup>25</sup> These replacements are usually members of their family or the community who are suspected drug users or pushers and are often on the drug list. The *palit-ulo* scheme is in violation of the rights to due process and protection from unreasonable seizures. It places persons in precarious situations where they must give another person up to the authorities to escape incarceration or even death.
24. Most of these individuals who have experienced human rights violations are males who are partnered (married or in common-law relationships), with 83.3% of them having at least one minor dependent.<sup>26</sup> The families and communities in which extrajudicial killings and arbitrary arrests happen endure long-lasting impacts that continue months after the incidents, making families victims of the campaign against illegal drugs, too. In addition to the grief of losing a loved one, families endure further traumatic incidents such as instances of intimidation from the police, exacerbated economic instability due to the loss of an income earner in the family, and damaging psychosocial and biological impacts such as the inability to sleep or eat, depression, and anxiety rooted in trauma.<sup>27</sup>
25. The Philippine Government’s response to the drug problem fails to consider the families left behind, as well as those who have been caught in the crossfire and considered as collateral damage. Whatever possible assistance programs that families and communities can access are opaquely bureaucratic. For instance, the Department for Social Welfare and Development offers burial and livelihood assistance to marginalized and vulnerable families. Bureaucratic restrictions, however, mean families do not receive actual assistance for several months after their family member’s death.<sup>28</sup>
26. The Department of Health has no programs for victims of the campaign against illegal drugs. In addition, the Philippine Government, to this date, does not recognize the drug problem as a public health issue. In many instances, victims of the drug war are turned away by government agencies.<sup>29</sup>

## II. RECOMMENDATIONS FOR THE GOVERNMENT OF THE PHILIPPINES

27. The authors of this joint stakeholder report respectfully submit the following recommendations for the Government of the Philippines:

- To enact legislation that provides reparations to victims of human rights violations in relation to the campaign against illegal drugs;
- To resume, support, and fully cooperate with the investigation of the International Criminal Court;
- To promptly, independently, and thoroughly conduct legitimate investigations into cases of human rights violations and genuinely prosecute the perpetrators;
- To retrain the PNP and other uniformed personnel with a greater emphasis on minimizing and deescalating violence in the campaign against illegal drugs, respecting the due process of all potential suspects, and generally respecting and upholding human rights; and
- To establish programs aimed at aiding and rehabilitating families and communities affected by the campaign against illegal drugs, such as livelihood assistance and psychosocial assistance.

### III. ANNEX

- IDEALS, Inc., *Beyond the Numbers: Revealing the Faces of the Victims of the Campaign Against Illegal Drugs*, by Atty. Raphael Carlo Brolagda, Atty. Ivy-ron Quinto, Benjie Allen Aquino, and Juan Paolo de Guzman (Quezon City, 2021).
- IDEALS, Inc., *Unsilencing the Voices of EJK Surviving Families: A Closer Look at their Healing, Recovery, and the Restoration of Justice*, by Charmen Balana, KZ Briana, Aloe Pagtilan, Christine De Leon, and Raevene Morillo (Quezon City, 2021).

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<sup>1</sup> Rappler.com, *IN NUMBERS: The Philippines' 'war on drugs'*, Rappler.com, 13 September 2016, <https://www.rappler.com/newsbreak/iq/145814-numbers-statistics-philippines-war-drugs>.

<sup>2</sup> IDEALS, Inc., *Beyond the Numbers: Revealing the Faces of the Victims of the Campaign Against Illegal Drugs*, by Atty. Raphael Carlo Brolagda, Atty. Ivy-ron Quinto, Benjie Allen Aquino, and Juan Paolo de Guzman (Quezon City, 2021), 20.

<sup>3</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.55 Bring its methods of combating the use of illegal drugs into line with international standards (Timor-Leste); ¶ 133.58 Employ methods that adjust to international norms, including human rights norms, to combat the consumption of illegal drugs (Guatemala). Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 5.

<sup>4</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.24 Ensure that domestic legislation conforms with the Convention on the Elimination of All Forms of Discrimination against Women and other human rights instruments, fully align its national legislation with the Rome Statute of the International Criminal Court and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Estonia); ¶ 133.2 Ratify and implement without delay the International Convention for the Protection of All Persons from Enforced Disappearance (France); ¶ 133.3 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Angola) (Iraq) (Japan) (Kenya) (Montenegro) (Sierra Leone); ¶ 133.4 Consider acceding to the International Convention for the Protection of All Persons from Enforced Disappearance, recognizing the competence of its Committee (Uruguay); ¶ 133.5 Ratify the International Convention on the Protection of All Persons from Enforced Disappearance and the Optional

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Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal). Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>5</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.13 Accept without prior condition the request for a visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions and cooperate with her fully (France); ¶ 133.14 Extend an invitation to the Special Rapporteur on extrajudicial, summary or arbitrary executions for an official visit in line with United Nations terms of reference without any further delay (Germany); ¶ 133.15 Allow access to the Special Rapporteur on extrajudicial, summary or arbitrary executions and remove conditions on her proposed visit that could compromise her impartiality (Ghana); ¶ 133.16 Permit the requested visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions (Hungary); ¶ 133.17 Respond positively and unconditionally to the request of the Special Rapporteur on extrajudicial, summary or arbitrary executions to visit the country (Latvia); ¶ 133.119 Take due measures to prevent extrajudicial killings in the country and grant access to the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health for impartial and credible investigations (Bulgaria). Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>6</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.48; Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 5.

<sup>7</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.57 Enact effective legislation aligned with international standards to combat the use of illegal drugs (Maldives); ¶ 133.120 Implement effectively the law against torture, in particular in sentences for cruel, inhuman or degrading treatment inflicted to drug traffickers (Angola); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>8</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.59 Guarantee that all the Government's methods of combating the use of illegal drugs are brought into line with international standards (Estonia); ¶ 133.56 Continue to realign its national procedures to combat drug trafficking with international standards (Egypt); ¶ 133.54 Ensure human rights standards are observed in the current government's conduct of its campaigns against illegal drugs (Zambia); ¶ 133.53 Continue efforts to combat drugs and crime within a framework of the protection of and respect for human rights (Lebanon); ¶ 133.47 Take the necessary measures to combat drug trafficking while ensuring that the methods used are in conformity with international standards (Haiti); ¶ 133.44 Ensure that the fight against crime strictly respects international standards (Peru); ¶ 133.46 Continue its efforts to protect its people from the threat of drugs while upholding human rights values (Myanmar); ¶ 133.50 Continue the holistic approach of the Inter-Agency Committee on Anti-Illegal Drugs focusing on law enforcement operations, as well as on the rehabilitation and reintegration of drug users (Romania); ¶ 133.52 Adopt comprehensive and human-centred approaches to its anti-illegal drug policy, particularly the provision of appropriate health measures (Thailand); ¶ 133.42 Ensure human rights training for State security forces in order to enhance their capacity to protect human rights (Ghana); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 5.

<sup>9</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.103 Establish necessary mechanisms to eradicate extrajudicial, summary and arbitrary executions by bringing perpetrators to justice and intensifying efforts to eradicate the use of torture and inhuman and degrading treatment (Spain); ¶ 133.27 Enact laws to establish a national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture (Republic of Korea); ¶ 133.28 Expedite the establishment of an effective national preventive mechanism, as required under the Optional Protocol to the Convention against Torture (Slovenia); ¶ 133.33 Promulgate as soon as possible a law to establish an effective national preventive mechanism against torture (Guatemala); ¶ 133.49 Bring into line with international best practices the methods of combating the use of illegal drugs in the Philippines, namely in terms of prevention and alternative sanctions (Portugal); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

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<sup>10</sup> Jason Gutierrez, *Philippines Officially Leaves the International Criminal Court*, New York Times, 17 March 2019, <https://www.nytimes.com/2019/03/17/world/asia/philippines-international-criminal-court.html>.

<sup>11</sup> Reuters, *ICC prosecutor suspends probe into Philippines drugs war*, Reuters, 20 November 2021, <https://www.reuters.com/world/asia-pacific/icc-prosecutor-suspends-probe-into-philippines-drugs-war-2021-11-19>.

<sup>12</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.134; Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>13</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.106 Take immediate steps to stop extrajudicial killings and to conduct an independent and impartial inquiry into all enforced disappearances and extrajudicial killings so that the perpetrators of these crimes are brought to justice (Netherlands); ¶ 133.122 Eliminate the obstacles that hinder the effective implementation of the Anti-Torture Act and fully comply with articles 18 and 19 of the Act, which foresee compensation and rehabilitation of victims (Chile); ¶ 133.114 Condemn and put an end to unresolved homicides and enforced disappearances (Uruguay); ¶ 133.154 Conduct an independent and impartial inquiry into all enforced disappearances and extrajudicial killings so that the perpetrators of these crimes are brought to justice (Ghana); ¶ 133.113 Take all necessary steps to ensure prompt, impartial and transparent investigations into alleged unlawful killings and other abuses during anti-drug operations (Hungary); ¶ 133.152 Thoroughly investigate alleged extrajudicial killings and ensure accountability (Australia); ¶ 133.155 Prosecute persons implicated in such unlawful killings, including government officials and their affiliates (Iceland); ¶ 133.141 Put an end to impunity by ensuring impartial investigations and bringing to justice those responsible of extrajudicial executions and torture (Luxembourg); ¶ 133.148 Effectively fight impunity by investigating all cases of extrajudicial killings and enforced disappearances committed by the police, the armed forces or non-State actors and bring all perpetrators to justice (Austria); ¶ 133.137 Take further steps to eradicate impunity for killings (Croatia); ¶ 133.153 Ensure a credible, independent investigation with international involvement into unlawful killings (Iceland); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>14</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.132; Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 5.

<sup>15</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.133 Adopt measures to strengthen the administration of justice and the national human rights commission, to enforce the action of the State against organized crime (Costa Rica); ¶ 133.131 Strengthen the independence of the judiciary and the capacity of the judicial system (Timor-Leste); ¶ 133.124 Reject any incitement to violence in the context of the State-sponsored campaign against illegal drugs and hold perpetrators of such incitement accountable (Czechia); ¶ 133.139 Deepen the measures taken to ensure the fight against impunity and guarantee to all victims of human rights violations compensation and the establishment of all adequate mechanisms for rehabilitation (Argentina); ¶ 133.146 Undertake a prompt and independent investigation into the extrajudicial killings related to the fight against illegal drugs and ensure accountability for perpetrators, as well as justice, remedy and reparations for victims and their families (Czechia); ¶ 133.142 End impunity and hold the perpetrators of enforced disappearance, extrajudicial killings and torture to account and facilitate access to justice for the victims of such violations (Slovenia); ¶ 133.143 Ensure thorough and independent investigations into violent deaths and commit to bringing to justice those involved in abuses, including security forces (United Kingdom of Great Britain and Northern Ireland); ¶ 133.147 Appropriately investigate deaths which have occurred in the course of police operations associated with the war on drugs (New Zealand); ¶ 133.136 Ensure that all pretrial detainees are brought before a judge without delay and expedite the cases of persons held under the Comprehensive Dangerous Drugs Act (Liechtenstein); ¶ 133.151 Investigate thoroughly all deaths, both those involving State security forces allegedly killing suspects in self-defence and those perpetrated by unknown assassins (Zambia); ¶ 133.144 Investigate thoroughly all extrajudicial killings (Portugal); ¶ 133.145 Ensure that extrajudicial killings are properly investigated and that the persons responsible are held to account in accordance with due process and the rule of law (Sweden); ¶ 133.140 Strengthen investigative and prosecutorial bodies to ensure thorough investigations into all killings, as well as the appropriate prosecution of perpetrators (United States of America); ¶ 133.130 Strengthen the legal context, the institutions and the resources of the judicial system to guarantee an independent judiciary (France); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.



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<sup>16</sup> Joel R. San Juan, *DOJ releases ‘info table’ on 52 cases of drug war deaths*, Business Mirror, 20 October 2021, <https://businessmirror.com.ph/2021/10/20/doj-releases-info-table-on-52-cases-of-drug-war-deaths>.

<sup>17</sup> Philstar.com, *Duterte challenges claim there are 10K drug war victims*, Philstar.com, 30 August 2017, <https://www.philstar.com/headlines/2017/08/30/1734220/duterte-challenges-claim-there-are-10k-drug-war-victims>.

<sup>18</sup> Revised Penal Code of the Philippines, Art. 125. Delay in the delivery of detained persons to the proper judicial authorities. – The penalties provided in the next preceding article shall be imposed upon the public officer or employee who shall detain any person for some legal ground and shall fail to deliver such person to the proper judicial authorities within the period of: twelve (12) hours, for crimes or offenses punishable by light penalties, or their equivalent; eighteen (18) hours, for crimes or offenses punishable by correctional penalties, or their equivalent; and thirty-six (36) hours, for crimes or offenses punishable by afflictive or capital penalties, or their equivalent. In every case, the person detained shall be informed of the cause of his detention and shall be allowed, upon his request, to communicate and confer at any time with his attorney or counsel.

<sup>19</sup> 1987 Constitution of the Philippines, Art. 3. Sec. 1 and 3.

<sup>20</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>21</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.115 Immediately stop all unlawful killings and incitement to carry out killings in the name of the anti-drug campaign (Iceland); ¶ 133.86 Cease all steps to reintroduce the death penalty, which would be contrary to its obligations under the Optional Protocol to the International Covenant on Civil and Political Rights; urgently accept a visit from the Special Rapporteur on extrajudicial, summary or arbitrary executions, without preconditions or limitations; fully investigate and prosecute all cases of extrajudicial killings and enforced disappearances; take immediate steps to combat torture in the criminal justice system, including torture in police stations to extract confessions; and fully respect international human rights law in its efforts to combat the trade in and use of illegal drugs (Ireland); ¶ 133.112 Protect and guarantee the right to life and to a fair trial also in the context of the campaign against drug trafficking, and take all necessary steps to guarantee a proportionate use of force by the security forces (Italy).

<sup>22</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.107 Take concrete measures to stop extrajudicial killings and invite the Special Rapporteur on extrajudicial, summary or arbitrary executions to visit the country without conditions (Lithuania); ¶ 133.118 Publicly denounce extrajudicial killings and other abuses in the anti-drug campaign (Iceland); ¶ 133.43 Provide adequate resourcing to the Commission on Human Rights and allow it to investigate alleged extrajudicial killings (Australia); ¶ 133.111 Immediately end the campaign of extrajudicial killings, which may amount to crimes against humanity under international law (Ghana); ¶ 133.109 Take all necessary measures to prevent extrajudicial killings and enforced disappearances and carry out impartial investigations to hold perpetrators accountable (Germany); ¶ 133.116 Put an end to extrajudicial executions and torture, in particular in the context of the fight against drugs (Luxembourg); ¶ 133.100 Take steps to put an end to extrajudicial executions, enforced disappearances, illegal arrests and acts of torture perpetrated by the police corps, and private security or paramilitary groups, and to investigate actions of the police dismantling all groups created in the margin of law (Costa Rica); ¶ 133.110 Immediately end extrajudicial executions and carry out an independent and impartial investigation into all enforced disappearances and extrajudicial executions in order to bring the authors of these crimes to justice (Chile); ¶ 133.149 Conduct impartial, immediate and effective investigations into all presumed cases of extrajudicial or summary execution, including appropriate documentation of each alleged offence, preservation of evidence and compliance with procedural safeguards (Switzerland); ¶ 133.150 Thoroughly investigate killings by private armies and vigilantes responsible for unsanctioned activities during the Government’s anti-drug campaign and prosecute those responsible (Sierra Leone); ¶ 133.102 Without delay, take measures to put an end to extrajudicial, summary or arbitrary executions and prosecute the perpetrators of these acts (France); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>23</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines*, (18 July, 2017), U.N. Doc. A/HRC/36/12, ¶ 133.156 Investigate and fairly prosecute those implicated in torture or other forms of mistreatment (Hungary); ¶ 133.105 Put an end to extrajudicial killings, including those related to the war on drugs, enforced disappearances, illegal arrests and detention, torture, harassment and other human rights violations (Slovakia); ¶ 133.108 End extrajudicial killings, enforced disappearances, illegal arrests and detention, torture and harassment, including by effectively implementing criminal prohibitions against extrajudicial killings

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(Canada); ¶ 133.123 Take all necessary measures to prevent torture and other cruel, inhuman or degrading treatment in detention facilities, including through the provision of legal safeguards for detainees and ensure effective investigations into allegations of torture, as well as the prosecution and sentencing of perpetrators (Austria); ¶ 133.121 Further strengthen measures to fully eliminate torture and all forms of ill-treatment at every level, including by establishing a national preventive mechanism (Georgia); ¶ 133.104 Strengthen efforts to stop extrajudicial killings and enforced disappearances in the country (Poland); ¶ 133.117 Make efforts to eliminate extrajudicial killings and enforced disappearances, and intensify efforts to carry out prosecutions for such crimes (Norway); ¶ 133.101 Guarantee the protection of all people against enforced disappearances and guarantee the rights of persons with disabilities (Sudan); ¶ 133.173 Take all necessary measures to provide adequate protection to journalists and human rights defenders, in particular regarding enforced disappearances and extrajudicial killings (Estonia); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Philippines, Addendum* (19 Sept., 2017), U.N. Doc. A/HRC/36/12/Add.1 ¶ 6.

<sup>24</sup> Gabriel Pabico Lala, *Tell those in drugs watchlist to stop or they might get killed, Duterte tells rights advocates*, Philippine Daily Inquirer, 24 November 2020, <https://newsinfo.inquirer.net/1364055/duterte-condemns-rights-sector-anew-tell-those-in-drugs-watchlist-to-stop-or-theyll-be-killed>.

<sup>25</sup> IDEALS, *Unsilencing the Voices of EJK Surviving Families: A Closer Look at their Healing, Recovery, and the Restoration of Justice* by Charmen Balana, KZ Briana, Aloe Pagtiilan, Christine De Leon, and Raevene Morillo (Quezon City, 2021), 12.

<sup>26</sup> IDEALS, Inc., *Beyond the Numbers: Revealing the Faces of the Victims of the Campaign Against Illegal Drugs*, by Atty. Raphael Carlo Brolagda, Atty. Ivy-ron Quinto, Benjie Allen Aquino, and Juan Paolo de Guzman (Quezon City, 2021), 19.

<sup>27</sup> IDEALS, *Unsilencing the Voices of EJK Surviving Families: A Closer Look at their Healing, Recovery, and the Restoration of Justice* by Charmen Balana, KZ Briana, Aloe Pagtiilan, Christine De Leon, and Raevene Morillo (Quezon City, 2021), 17-25.

<sup>28</sup> IDEALS, *Unsilencing the Voices of EJK Surviving Families: A Closer Look at their Healing, Recovery, and the Restoration of Justice* by Charmen Balana, KZ Briana, Aloe Pagtiilan, Christine De Leon, and Raevene Morillo (Quezon City, 2021), 35-6.

<sup>29</sup> IDEALS, *Unsilencing the Voices of EJK Surviving Families: A Closer Look at their Healing, Recovery, and the Restoration of Justice* by Charmen Balana, KZ Briana, Aloe Pagtiilan, Christine De Leon, and Raevene Morillo (Quezon City, 2021), 35.