

Protecting Human Rights amidst the Philippine War on Drugs

Introduction

On August 16, 2017, 17-year-old student Kian Delos Santos was found dead with a gun resting on his right hand and two sachets of *shabu*, a form of methamphetamine.¹ Incidentally, Kian was left-handed and as his family claims, was a good kid who was just out to buy a late night snack, but did not return.² The police had a different story and alleged that Kian was a drug runner who resisted arrest and shot at the cops. “*Nanlaban*” or he “fought back”, as they say. Kian’s story was hardly an exception since President Rodrigo Duterte took office in June 2016 and commenced his campaign promise of waging war on drugs and criminality.

This case study examines a nationwide “War on Drugs” in the Philippines, launched in 2016, when President Rodrigo Duterte was elected into office. It involved a unique conflict due to its state-perpetrated nature, and affected several dimensions, including human rights violations, extrajudicial killings, organized crime, politics, economic issues, and deep cultural issues. Despite controversies and international criticisms, the drug war continued to enjoy ample support among the public and a supermajority in the Congress. The infamous drug war had taken the lives of thousands of Filipinos and placed the country in a complex situation that remained unresolved.

Background

The Philippines’ current policy of an all-out war against illegal narcotics has been criticized as a nationwide conflict that has resulted in a massive human rights crisis in the country.³ For purposes of this case study, the lens of conflict analysis is being utilized to assess the current policy on the War on Drugs, with a particular look at the human rights implications.

The Death Toll

The primary issue examined in this conflict are human rights violations, particularly “extrajudicial killings” resulting in casualties of the war. President Duterte placed the Philippine National Police

¹ Talabong, Rambo. “Kian and Carl: What the deaths of two boys have in common.”. *Rappler*, September 4, 2017. <https://www.rappler.com/newsbreak/iq/181093-kian-delos-santos-carl-angelo-arnaiz-similarities-differences-explainer>.

² Ibid.

³ Marquez, Consuelo. “Human rights crisis in Philippines intensified amid drug war.” *Inquirer.net*. January 17, 2019. <https://newsinfo.inquirer.net/1074346/human-rights-crisis-in-philippines-intensified-amid-drug-war-hrw>

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(PNP) as the lead agency in the enforcement of the drug war and anti-drug operations all over the Philippines were launched with PNP at the helm.

The PNP and the Philippine Drug Enforcement Agency (PDEA) released what they call the #RealNumbersPH, the Philippine government's official issuance regarding what was claimed as the accurate number of casualties of the war from July 2016 to March 2018. The release included the following information: 91,704 anti-drug operations conducted, 123,648 drug personalities arrested, and 4,075 drug personalities who died in anti-drug operations.⁴

However, according to investigations of international human rights groups such as Amnesty International and Human Rights Watch, the Philippine War on Drugs had directly resulted in more than 20,000 casualties so far. Interestingly, the PNP also separately released a figure of 23,518 homicides under investigation from July 2016 to June 2018—coinciding with claims of human rights groups.

While it was hard to determine the real death toll of the drug war due to contrasting data, the statistics released were alarming and constituted grave threats to human rights in the country.

Urgency and Relevance of Examining the War on Drugs

In President Duterte's 2018 State of the Nation Address before the Philippine Congress, he promised that "the war against illegal drugs is far from over." He elaborated further that, "the illegal drugs war will not be sidelined" and that it shall be "as relentless and chilling" as it was on the day it began.⁵ However, the alarming number of casualties was a concern. How could concerned stakeholders construct an updated understanding and endeavor to find potential strategies to resolve the complex conflict that emerged from the implementation of the Philippine War on Drugs? How could relevant stakeholders be identified for the purpose of formulating feasible strategies to resolve the conflict?⁶

⁴ Philippine Drug Enforcement Agency. "#REALNUMBERSPH." <http://pdea.gov.ph/2-uncategorised/279-realnumbersphs>. Accessed November 6, 2018

⁵ Delivered at the Session Hall of the House of Representatives, Batasang Pambansa Complex, Quezon City on 23 July 2018. Full Text of Duterte's 2018 SONA Speech: <https://www.philstar.com/headlines/2018/07/23/1836195/full-text-dutertes-2018-sona-speech>. Accessed September 29, 2018

⁶ Anonymous interviews have been conducted with human rights lawyers in the Philippines for a more grounded and localized understanding of the situation in the country. Due to the sensitivity of the current conflict, no direct interview has been conducted with the families of the victims in order to ensure their safety. Statements and information on these victims and their families are sourced from various media outlets.

The War on Drugs: A Conflict Analysis

In order to comprehensively analyse the War on Drugs, the United Nations (UN) Development Group's Conflict Development Analysis (CDA) has been used to provide a lens that takes into account the following:

- 1) Situation Analysis;
- 2) Factor Assessment;
- 3) Stakeholder Analysis;
- 4) Conflict Dynamics and Drivers of Change.⁷

Aspects of other frameworks have been used to bridge the gaps in the CDA framework. In particular, where a significant aspect of the conflict dynamic involves criminal activity such as in the War on Drugs, the UN's "Crime-proofing" Framework for Conflict Prevention, Management and Peacebuilding⁸ could be used.

Profile and Situation Analysis

Drug Use in the Philippines

The Dangerous Drugs Board (DDB) of the Philippines,⁹ which conducted the Nationwide Survey on the Nature and Extent of Drug Abuse in the Philippines in 2015, publicly announced in 2018 the following findings: out of 100.98 million Filipinos, 1.8 million Filipinos aged 10 to 69 years old were projected to be current drug users,¹⁰ and of these users, 1.25 million used *marijuana*, while 859,150 were *shabu* or methamphetamine users.¹¹

After the results of this survey was released, President Duterte fired the DDB Chairman Benjamin Reyes for releasing results that contradicted his own claims of the country having 3 or 4 million

⁷ UN Development Group. *Conducting a Conflict and Development Analysis (CDA)*. New York, NY: UNDG, February 2016.

⁸ Bosetti, Louise., Cockayne, James., De Boer, John. *Crime-Proofing Conflict Prevention, Management, and Peacebuilding: A review of Emerging Good Practice*. Tokyo: UN University, 2016.

⁹ The Dangerous Drugs Board, created under Republic Act No. 9165, or the "Comprehensive Dangerous Drugs Act of 2002, is the foremost government agency tasked with the creation of policies on drug prevention and control in the Philippines. It is composed of several Departments of the Philippine Executive Branch.

¹⁰ Dangerous Drugs Board. *2015 Nationwide Survey on the Nature and Extent of Drug Abuse in the Philippines*. <http://pcij.org/wp-content/uploads/2017/06/DDB-2015-Nationwide-Survey-Final-Reportc.pdf>. Accessed October 30, 2018

¹¹ Ibid.

drug addicts.¹² Duterte berated Reyes by saying, “You’re fired today. Get out of the service. You do not contradict your own government.”¹³

Prior to Duterte’s war, the number of drug users had already been falling: the estimated number of drug users in the Philippines was 6.7 million in 2004, 1.7 million in 2008, and 1.3 million in 2013.¹⁴ This downward trend could be attributed to effective supply reduction efforts conducted by PDEA, as well as DDB policies on mandatory drug testing for driver’s license applicants, the military, firearms holders, and random drug tests among students. But while there was indeed an increase in drug users to 1.8 million in 2015, as reported by the DDB, the reported number was still far from the 3 million publicly reported by the President in a speech he made in 2016.¹⁵

Organized Crime, Drug Use, and the Drug Trade

Duterte continued to use organized crime, drug use, and the drug trade as the main justification for the continuation of the drug war. However, there was limited evidence that powerful drug lords who were at the root of the drug problem were being targeted. Most of the casualties of the drug war were poor Filipinos who were allegedly participating at the lower echelons of the drug trade as mere street peddlers, if at all. Despite the President’s promise to target “the big fish,”¹⁶ only a few big names connected to the drug trade in the country had been indicted.

Duterte’s son, Paolo Duterte, had also been implicated as a major player in drug smuggling in the country, which triggered a Senate probe into the issue.¹⁷ The President, in response to these allegations, brazenly said that he would gladly have his son killed if the drug trafficking allegations against him were found to be true.¹⁸

The drug trade however, was a symptom of much deeper economic problems as it served as a means of livelihood for poor Filipinos. The same sentiment was echoed by self-confessed

¹² Ranada, Pia “Is Duterte’s 4 million drug addicts a real number?” *Rappler*. May 6, 2017, <https://www.rappler.com/rappler-blogs/169009-duterte-drug-addicts-real-number>.

¹³ Sabillo, Kristine Angeli. “Duterte fires Dangerous Drugs Board chief for ‘contradicting’ stats.” *Inquirer*. 24 May 2017 <https://newsinfo.inquirer.net/899267/duterte-fires-dangerous-drugs-board-chief-for-contradicting-stats>.

¹⁴ Dangerous Drugs Board. “Facts about drug abuse.” Accessed October 30, 2018. <https://www.ddb.gov.ph/newsroom/46-sidebar/58-facts-on-drugs>.

¹⁵ Villamor, Felipe. “Duterte, Citing Hitler, Says He Wants to Kill 3 Million Addicts in the Philippines.” *The New York Times*. September 30, 2016. <https://www.nytimes.com/2016/10/01/world/asia/philippines-rodrido-duterte-hitler-drugs.html>.

¹⁶ Mogato, Manuel. “Philippines’ Duterte to target only ‘big fish’ after police, military kill thousands in drug war.” *Reuters*. October 12, 2017, <https://www.businessinsider.com/philippines-duterte-to-target-only-big-fish-in-drug-war-2017-10/?IR=T>.

¹⁷ Castaneda, Jason. “Is Duterte’s family involved in drug trade?” *Asia Times*. September 5, 2017, <http://www.atimes.com/article/dutertes-family-involved-drug-trade/>.

¹⁸ AgenceFrance. “Philippines: Duterte says son will be killed if he is involved in drugs.” *The Guardian*. September 21, 2017, <https://www.theguardian.com/world/2017/sep/21/philippines-duterte-son-will-be-killed-if-he-is-involved-in-drugs>.

vigilante killers who killed to earn money for their families. As such, any intervention that was geared towards shifting public perceptions against the government's anti-drug campaign must take into consideration how the drug trade had been embedded in the lives of some poor Filipino families, as well as how organized crime might play a part in corrupting public officials.

Security Issues and Perception of Drug Addicts as a Security Threat

Drug addiction was perceived to be a security issue that destroyed families and communities. A June 2016 Social Weather Stations survey found that 62% of Filipinos agreed that their neighborhood had people addicted to illegal drugs, an increase from 55% in April 2016 and 48.3% in 2015. In Metro Manila alone, 82% of families in 2016 feared drug addicts —a 17.3 percentage point jump from 64.8% in 2015.

The Government's Anti-Drug Strategy

The DDB highlighted drug supply reduction through aggressive law enforcement, prosecution, and drug demand reduction initiatives as the Philippine government's anti-drug strategy.¹⁹ This included the massive campaign of the PNP called "Double Barrel", comprised of *Project Tokhang* (Knock and Plead) and Project High Value Target, which included buy-busts, manhunts, raids, and other police operations. Other initiatives such as preventive education, treatment, rehabilitation, and reintegration were mentioned as well. However, as of December 31, 2016, there were only 54 drug rehabilitation facilities with a bed capacity of 3,529 in the country while there had been 91,704 anti-drug operations conducted as of March 2018.

Extrajudicial Killings and Human Rights Violations

Since the start of the drug war in July 2016, there had been a multitude of similar police operations where suspects were said to have "fought back" or "*nanlaban*" in Filipino. There were allegations of planted evidence where guns and packets of *shabu* were supposedly placed in the corpses' hands or pockets. There were also allegations of police-sanctioned vigilante killings. Killers were said to be hired for a fee to kill target suspects with a reward of about 161 USD to 302 USD per kill.²⁰ Some of these killers, including police officers themselves had approached the media for interviews, describing their kills.²¹

Actor and Stakeholder Analysis

Critical actors and stakeholders can be categorised as elite actors, middle actors, and grassroots actors in this conflict. Three main key players are highlighted, as they play the most critical roles

¹⁹ Dangerous Drugs Board. "Strategies". <https://www.ddb.gov.ph/about-ddb/strategies>. Accessed October 30, 2018.

²⁰ D'Angelo, Chris. "Killers are paid up to \$300 per head in Philippines' Deadly War on Drugs: Report." *Huffington Post*. February 2, 2017, https://www.huffingtonpost.com/entry/philippines-drug-war-amnesty-international-report_us_589218aae4b02772c4ea9e2b

²¹ Ibid.

in this conflict: Rodrigo Duterte and his political allies, the PNP, and victims of human rights violations and their families.

Rodrigo Duterte and his Political Allies

Duterte rose to prominence in the public sector after winning the mayoral race in 1988 in Davao City. He emerged victorious during the 2016 National Elections in the Philippines with 16 million votes, garnering 38.6% of votes and a lead of almost 7 million.²² His campaign platform promised an end to drugs and criminality in 3 to 6 months using the campaign slogan that “Change is coming”.

This tough-talking and populist local leader had been quite vocal about his direct participation in killing criminals during a breakout in the Davao Penal Colony when he was mayor, as well as confusingly coy about the possibility of “maybe stab[bing] somebody to death” in a beach brawl when he was only 17.²³

While he became successful in projecting Davao City as one of the safest cities in the country based on a crowd-sourcing survey site,²⁴ President Duterte’s reputation as its mayor was haunted by the existence of the “Davao Death Squad”, a vigilante group, allegedly established by then Mayor Duterte to “hunt down criminals” in the area.²⁵ In 2017, Edgar Matobato, a self-confessed hitman working for the Davao Death Squad, and Arthur Lascañas, a former Davao City police officer, both came forward during several investigative hearings in the Senate with details of successful assassinations and Duterte’s role in such.²⁶ Matobato told the New York Times that Duterte as mayor had full command of the death squad and that “[i]f there was an order to kill, it had to be with his clearance. Without his orders, [the death squad] kill no one.”²⁷ Lascañas confirmed that “[a]ll the killings that [the death squad] committed in Davao City, whether they were buried or thrown in the sea, were paid for by Mayor Duterte.”²⁸ Since then, both men have been charged with several criminal charges and were in hiding.²⁹

²² The 2016 Philippine Presidential election results may be retrieved from: <http://ph.rappler.com/elections/2016/results/philippines/position/1/president>.

²³ Esquire Philippines. “The Rodrigo Duterte Interview.” *Esquire Magazine*. August 25, 2016, <https://www.esquiremag.ph/politics/the-rodrigo-duterte-interview-a1502-20160825-lfrm5>.

²⁴ Heginia, Aries Joseph. “Davao City improves to 5th in ranking of world’s safest cities.” *Inquirer*. June 24, 2015, <https://globalnation.inquirer.net/125132/davao-city-improves-to-5th-in-ranking-of-worlds-safest-cities>.

²⁵ Paddock, Richard. “Becoming Duterte: The Making of a Philippine Strongman.” *New York Times*. March 21, 2017, <https://www.nytimes.com/2017/03/21/world/asia/rodrigo-duterte-philippines-president-strongman.html>.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Tejano, Ivy. “NBI still looking for Lascanas, Matobato.” *Sun Star*. January 16, 2018, <https://www.sunstar.com.ph/article/414306>.

Duterte, who while ordering the implementation of a nationwide War on Drugs, also instituted a nationwide smoking ban in the country,³⁰ ordered a 6-month closure of Boracay Island in order to sustainably rehabilitate the well-known tourist destination,³¹ and successfully led the liberation of a city in the southern Philippines from the clutches of ISIS-inspired terrorist groups.³² He continued to enjoy massive popularity and a “very good” trust rating among Filipinos,³³ despite international criticism on the casualties of his policy directive on drugs.

Duterte also enjoyed supermajority support from the two other branches of the Philippine government. Supermajority support meant that there was no organized central opposition to his administration. There were certain individuals and small groups who were outspoken critics of his approach, however, certain opposition figures had been suppressed, including Senator de Lima who was detained,³⁴ and former Chief Justice Sereno who was ousted through a petition initiated by the Solicitor-General who questioned her qualifications.³⁵

Duterte was also outspoken in his rebuke of international criticisms against him, including telling a UN human rights expert who visited the country to “*go to hell*”.³⁶ Despite this, international human rights organizations were continuing to conduct independent investigations into the violations happening on the ground.

Law Enforcement as Primary Perpetrators of Human Rights Violations

The PNP, the country’s primary law enforcement agency, became the premier implementation arm of the drug war upon Duterte’s assumption of office, despite a law that specifically transferred jurisdiction over drug operations from the PNP to the PDEA.³⁷ While the same law provided for a detailed process in terms of ensuring the chain of custody for the seizure of illegal narcotics during anti-drug operations, the enforcement of such processes were subject to the internal procedures of the leading law enforcement agency.

³⁰ Villamor, Felipe. “Duterte orders strict smoking ban in Philippines, and Asks Citizens to help.” *New York Times*. May 18, 2017, <https://www.nytimes.com/2017/05/18/world/asia/rodrigo-duterte-smoking-ban-philippines.html>.

³¹ Ranada, Pia. “Duterte orders 6-month closure of Boracay.” *Rappler*. April 4, 2018, <https://www.rappler.com/nation/199580-duterte-orders-closure-boracay-6-months>.

³² Dancel, Raul. “Marawi conflict: Duterte declares liberation of war-torn city after nearly five months of fighting.” *The Straits Times*. October 17, 2017, <https://www.straitstimes.com/asia/se-asia/philippine-president-duterte-declares-marawi-city-liberated-from-pro-isis-militants>.

³³ Lacuata, Rose Carmelle. “Duterte trust rating up in 3rd quarter of 2018: SWS.” *ABS-CBN News*. October 27, 2018, <https://news.abs-cbn.com/news/10/27/18/duterte-trust-rating-up-in-3rd-quarter-of-2018-sws>.

³⁴ ABS-CBN News. “De Lima marks first year in detention.” *ABS-CBN News*. February 24, 2018, <https://news.abs-cbn.com/news/02/24/18/de-lima-marks-first-year-in-detention>.

³⁵ Buan, Lian. “Supreme Court ousts Chief Justice Sereno.” *Rappler*. May 11, 2018, <https://www.rappler.com/nation/202236-sereno-ousted-supreme-court-quo-warranto-decision>.

³⁶ “Philippines President Rodrigo Duterte tells UN human rights expert ‘to go to hell’.” *The Telegraph*. June 3, 2018, <https://www.telegraph.co.uk/news/2018/06/03/philippines-president-rodrigo-duterte-tells-un-human-rights/>.

³⁷ Section 86, Republic Act No. 9165. Comprehensive Dangerous Drugs Act of 2002.

Leaked insider accounts elaborated on how the drug war had been used to reward members of the police force for killing petty criminals and suspected drug users.³⁸ While this was denied by the PNP,³⁹ cash rewards and medals had been legitimately awarded to police officers for the successful implementation of the war on drugs.⁴⁰ The President had repeatedly assured the PNP that it would be protected in its implementation of his policy directive.⁴¹

It must be noted that President Duterte temporarily withdrew PNP involvement in February 2017 as a reaction to rogue police officers killing Jee Ick-joo, a South Korean businessman based in the Philippines, within the grounds of the national police headquarters.⁴² The anti-drugs police officers had kidnapped and strangled the South Korean and in response, President Duterte issued an order to disband anti-drugs police units.⁴³ He later ordered the PNP's return to lead drug operations.⁴⁴

Victims of human rights violations and their families

The victims of human rights violations in the implementation of the drug war are some of the most significant stakeholders for the analysis. The War on Drugs had been criticized as a war on the poor precisely because most of the casualties came from lower socioeconomic classes, and poor Filipinos were the most vulnerable victims of the resulting human rights violations.⁴⁵

According to an Amnesty International report, “The vast majority of the victims of drug-related killings reside in the Philippines’ poorest urban neighborhoods”.⁴⁶ The report also cited an ABS-CBN review of 50 drug-related killings, where almost all of the victims were poor and lived in the slums and outskirts of the provinces. In addition to this, more than 20 out of the 33 cases documented by Amnesty International involved men who were breadwinners and left behind

³⁸ Mogato, Manuel., Baldwin, Clare. “Special Report: Police describe kill rewards, staged crime scenes in Duterte’s drug war.” *Reuters*. April 18, 2017, <https://www.reuters.com/article/us-philippines-duterte-police-specialrep/special-report-police-describe-kill-rewards-staged-crime-scenes-in-dutertes-drug-war-idUSKBN17K1F4>

³⁹ Tupas, Emmanuel. “PNP denies drug war cash reward for cops.” *Philippine Star*. November 2, 2017, <https://www.philstar.com/headlines/2017/11/02/1755143/pnp-denies-drug-war-cash-reward-cops>.

⁴⁰ Salaverria, Leila. “Cash for cops in drug war.” *Inquirer*. September 25, 2016, <https://newsinfo.inquirer.net/818687/cash-for-cops-in-drug-war>.

⁴¹ Lim, Frinston., Nawal, Allan. “Duterte to cops: Kill criminals if you have to, I’ll protect you.” *Inquirer*. January 18, 2018, <https://newsinfo.inquirer.net/961396/duterte-to-cops-kill-criminals-if-you-have-to-ill-protect-you>.

⁴² Holmes, Oliver. “Philippines President order police to stop all anti-drug operations.” *The Guardian*. February 1, 2017, <https://www.theguardian.com/world/2017/feb/01/philippines-president-rodrigo-duterte-orders-police-stop-anti-drug-operations>.

⁴³ Ibid.

⁴⁴ Placido, Dharel. “6 Killed daily: War on Drugs now ‘less bloody’ – PNP.” *ABS-CBN News*. August 17, 2018, <https://news.abs-cbn.com/news/08/17/18/6-killed-daily-war-on-drugs-now-less-bloody-pnp>.

⁴⁵ Quintos, Patrick. “Poor Filipinos most vulnerable in Duterte’s drug war: study.” *ABS-CBN News*. June 25, 2018, <https://news.abs-cbn.com/focus/06/25/18/poor-filipinos-most-vulnerable-in-dutertes-drug-war-study>.

⁴⁶ Amnesty International “If you are poor, you are killed.” Extrajudicial Executions in the Philippines’ ‘War on Drugs’ London, UK: Amnesty International, 2017. <https://www.amnesty.org/download/Documents/ASA3555172017ENGLISH.PDF>.

partners and young children.⁴⁷ The same evidence of the poor being overwhelmingly targeted by the drug war was found by investigations by the Human Rights Watch. All, but one of the cases they investigated, were poor. “Many were suspected drug users, not dealers at all.”⁴⁸

These victims and their families were nearly without means to obtain justice. Ironically, they were also the sector of Philippine society who were perpetual victims of social and economic inequities, to whom Duterte’s campaign promises appealed the most. These poor families would likely be further entrenched in poverty due to the loss of their breadwinners to the drug war.

Factor Assessment

Root and Structural Causes

Economic Cause: Poor Quality of Life from Decades of Poverty

One of the more prevalent root causes that led to Duterte’s election as President of the Philippines and subsequent nationwide implementation of the War on Drugs, is the pervasive issue of poverty and poor quality of life in the country. Recent statistical data showed that while there was a decline in the poverty rate, there was still a 21.6% poverty incidence across the entire population.⁴⁹ This translated to more than one in every five Filipinos considered as being poor. As such, there is general dissatisfaction among Filipinos with upward social mobility and changes to their quality of life.

Political Cause: Erosion of Trust in Democracy and Democratic Values

The Philippines’ “strongman syndrome”⁵⁰ was heavily dependent upon the growing distrust by the Filipino masses on the effectiveness of democracy as a political system to solve their economic woes. Supporters of Duterte’s populist promises were proof of the disenchantment with how slow and inefficient democratic processes in the country tended to be.

In the thirty years since democratic institutions were reestablished after authoritarian rule under former President Ferdinand Marcos, a staple of democracy – the electoral process – was brought into question. Prominent members of the Marcos clan wielded political power. Marcos’ wife and eldest daughter both had seats in Congress, and his son, Bongbong Marcos was almost elected as Vice President in a very tight race. Although Marcos’ plunder had been legally proven in several

⁴⁷ Ibid, 40.

⁴⁸ Ibid, 41.

⁴⁹ Aldaba, Fernando., Bacani, Jessalaine. “Revisiting our Poverty Statistics.” *BusinessMirror*. January 11, 2018, <https://businessmirror.com.ph/revisiting-our-poverty-statistics/>.

⁵⁰ Heydarian, Richard. “The Philippines’ Strongman Syndrome.” *Aljazeera*. December 4, 2017, <https://www.aljazeera.com/indepth/opinion/philippines-strongman-syndrome-171204114823206.html>.

instances,⁵¹ support for the Marcos family and what they represented – a two-decade long dictatorship – appeared to be stronger than ever.

Proximate Causes

Economic/Cultural/Security Cause: The Illegal Drug Trade in the Philippines

As discussed in the case study, while the drug problem appeared to be exaggerated by the Duterte administration, the illegal narcotics market was still being used as justification for the implementation of the War on Drugs. regardless of the inconsistent statistics on users and peddlers, Filipinos perceived the drug trade as a significant problem and there was overwhelming support for the crackdown against the illegal drug trade.⁵²

The illegal drug trade, however, existed as a viable, albeit illegal, source of income for poor Filipino families. Even with declining unemployment rate in the country,⁵³ poverty incidence remained high and participating in the illegal market augmented incomes. Consistent with the framework of Crime-proofing as earlier mentioned in this case study, recognition must be given to the political implications of organized crime, in this case the illegal drug trade, and its influence in the lives of poor Filipinos.

Political Cause: Dissatisfaction Despite the Gains of the Previous Administration

Under the previous administration of former President Benigno Aquino, the son of Corazon Aquino who became president after Marcos was overthrown, the Philippine economy achieved record-breaking growth and pursued long overdue reforms. However, because the reforms were long-term in nature, the progress was not felt by majority of Filipinos within the president's 6-year term. This led to a clamor for change and a demand to sack the elites.⁵⁴ The supposed legacy of prosperity and economic growth spearheaded by Aquino was met with resentment by the dissatisfied Filipino masses who still perceived themselves as poor in comparison to the growing collective wealth of the 50 richest Filipino families which was equivalent to 51% of the country's Gross Domestic Product growth.⁵⁵

⁵¹ Davies, Nick. "The \$10bn question: What happened to the Marcos Millions?" *The Guardian*. May 7, 2016, <https://www.theguardian.com/world/2016/may/07/10bn-dollar-question-marcos-millions-nick-davies>.

⁵² Morales, Neil Jerome. "Philippine survey shows big support for Duterte's drugs war." *Reuters*. October 16, 2017, <https://www.reuters.com/article/us-philippines-drugs/philippine-survey-shows-big-support-for-dutertes-drugs-war-idUSKBN1CLOFM>.

⁵³ Philippine Statistics Authority. "Employment Rate in January 2018 is estimated at 94.7 Percent." <http://www.psa.gov.ph/content/employment-rate-january-2018-estimated-947-percent>. Accessed 03 November 3, 2018.

⁵⁴ Keenan, Jillian. "The Grim Reality behind the Philippines' Economic Growth." *The Atlantic*. May 7, 2013, <https://www.theatlantic.com/international/archive/2013/05/the-grim-reality-behind-the-philippines-economic-growth/275597/>.

⁵⁵ Dancel, Raul. "Benigno Aquino's six-year legacy: Fast growth but masses who never enjoyed benefits turned against him." *The Straits Times*. July 6, 2016, <https://www.straitstimes.com/asia/aquinos-six-year-legacy>.

Cultural Cause: Perceptions and Understanding of Human Rights

While the Philippines was a predominantly Catholic country, the view that human rights of all must be protected was not exactly shared by most. Drug users and addicts were perceived to be disposable in society, a view often reinforced by the Duterte himself who pronounced several times in public that the continuous use of *shabu* “shrinks the brain” and made addicts “no longer viable as human beings on this planet.”⁵⁶ In fact, despite awareness of the existence of extrajudicial killings, there was widespread support for the controversial policy.⁵⁷

Triggers

Political Trigger: President Duterte’s Ascent and Political Supermajority

The clear trigger of this conflict was the 2016 presidential elections. The ascent of President Duterte gave the government a signal to implement the War on Drugs. Duterte made his intention clear during his campaign that the policy would be implemented as soon as he assumed office, with the goal of eliminating drugs and criminality within 3 to 6 months. He had since admitted that the problem of illegal drugs “[would] not end at the end of [his] term.”⁵⁸

With his election, Duterte was able to quickly consolidate support from the legislative branch and from the local governments as politicians aligned themselves with his political party, PDP-Laban. His supermajority support also extended to the Judiciary following the ouster of former Chief Justice Sereno – an Aquino appointee – initiated by a *quo warranto* petition⁵⁹ filed by Duterte’s appointed Solicitor General.⁶⁰

Social Trigger: Social Media and the Proliferation of Fake News

President Duterte had a powerful online machinery, composed of hundreds of volunteers organized into four groups – three based in the Philippines and one targeted at overseas Filipino

⁵⁶ Sagoli, Damir. “Just how big is the drug problem in the Philippines anyway?” *The Conversation*. October 13, 2016, <http://theconversation.com/just-how-big-is-the-drug-problem-in-the-philippines-anyway-66640>.

⁵⁷ Morales, Neil Jerome. “Philippine survey shows big support for Duterte’s drugs war.” *Reuters*. October 16, 2017, <https://www.reuters.com/article/us-philippines-drugs/philippine-survey-shows-big-support-for-dutertes-drugs-war-idUSKBN1CLOFM>.

⁵⁸ Leonen, Julius. “Duterte admits drug problem won’t end under his watch.” *Inquirer*. August 14, 2018, <https://newsinfo.inquirer.net/1021310/duterte-admits-drug-problem-wont-end-under-his-watch>.

⁵⁹ A *quo warranto* petition is filed in order to question whether an appointed government official has the authority to hold his or her office. It must be noted that under the Philippine constitution, Justices of the Supreme Court may only be ousted through impeachment proceedings. This was the first time a sitting Supreme Court Justice had been ousted through a legal proceeding other than impeachment.

⁶⁰ Manabat, Johnson., Reformina, Ina. “Supreme Court rules CJ Sereno ouster final.” *ABS-CBN News*. June 19, 2018, <https://news.abs-cbn.com/news/06/19/18/supreme-court-rules-cj-sereno-ouster-final>.

workers.⁶¹ The proliferation of fake news and trolls who spread messages in support of the Duterte campaign was prevalent during the presidential elections and remained in the Philippine social media space. There was evidence that people were paid to execute online attacks against opponents⁶² of the President, like Senator Leila de Lima.

The Conflict Drivers

The figure below shows the current conflict drivers and how they are affected by key factors discussed in the conflict analysis, as well as the potential peace engines that may help resolve the conflict.

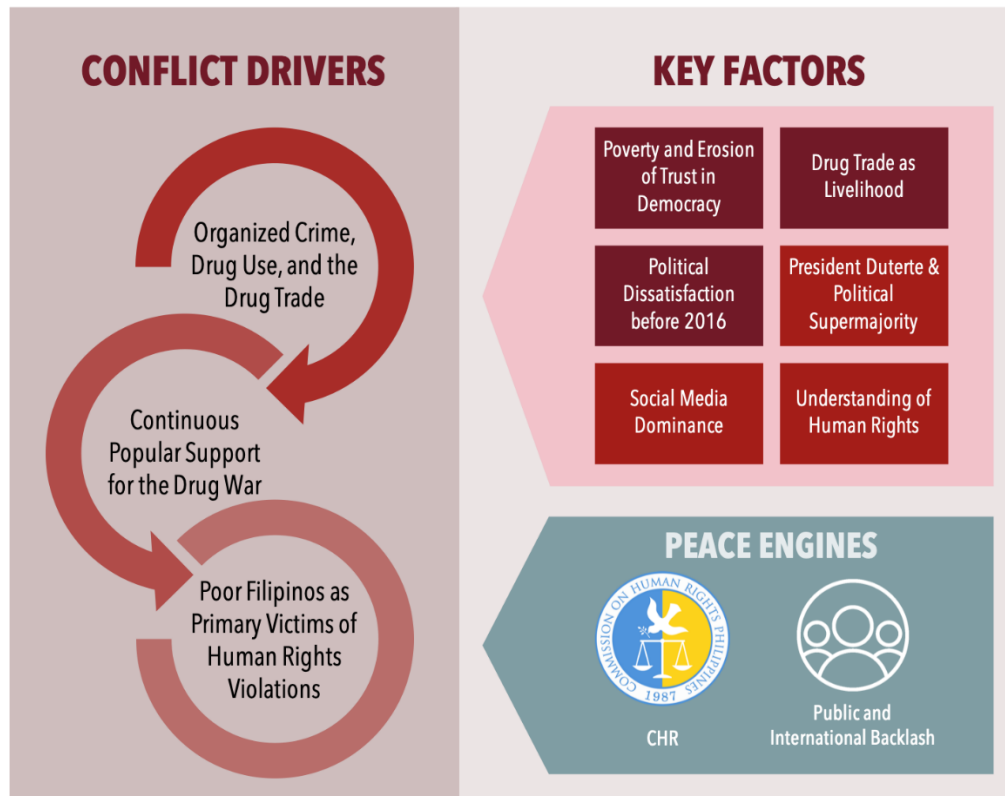


Figure 1 – Conflict Drivers and Key Factors

One Policy Option – Commission on Human Rights

In view of the conflict analysis conducted on the human rights crisis in the Philippines, the identification of a viable peace agent could be one approach to address the issue. With this in mind, the 1987 Philippine Constitution had already established an independent government body that could potentially serve as a peace agent – the Commission on Human Rights (CHR).

⁶¹ Etter, Lauren. “What happens when the Government uses Facebook as a Weapon?” *Bloomberg*. December 7, 2017, <https://www.bloomberg.com/news/features/2017-12-07/how-rodrido-duterte-turned-facebook-into-a-weapon-with-a-little-help-from-facebook>.

⁶² Ibid.

While the institution enjoys a level of autonomy accorded to a Constitutional Commission, it was still subject, as a government agency, to the supervisory power of the President as the head of government. The Commission had also encountered political resistance in the performance of its mandate to protect and promote human rights in the country. Aside from the deliberate lack of cooperation with the Commission on the part of law enforcement agencies involved in the drug war,⁶³ a Duterte-led House of Representatives also threatened to defund the institution for being critical of the anti-drug policy.⁶⁴

Furthermore, the performance of CHR functions, as well as matters pertaining to its administrative processes, still fell within the jurisdiction of other branches of government, including Congress or the Judiciary. As such, political pressure from these branches of the Philippine government factor heavily in terms of ensuring the efficiency of CHR's actions.

Apart from a peace agent within the public sector, multi-sectoral collaborations within civil society had already begun in response to the human rights crisis in the country. President Duterte faced complaints against his War on Drugs before the International Criminal Court. These were filed by families of the victims of alleged human rights violations, with the aid of non-government organizations such as the National Union of People's Lawyers, and Rise Up for Life and for Rights.⁶⁵

Epilogue

Since September 2016, the Social Weather Stations (SWS) regularly administered a survey on the nationwide satisfaction with the administration's campaign against illegal drugs. The latest survey in June 2018 showed that 78% were satisfied, 9% undecided, and 13% dissatisfied.⁶⁶ Results also showed that net satisfaction with the performance of President Duterte was higher among those satisfied with the drug war.⁶⁷ Satisfaction remained high despite the sheer number of casualties of the drug war and the families left behind who had yet to receive justice.

Discussion Questions

1. Given the limited feasible options for the victims of the drug war and their families, what can be done to provide immediate help to the victims of the drug war and their families?
2. What other relevant factors keep President Duterte and the drug war popular among majority of Filipinos? Can these factors be connected to the growing populism in other parts of the world?

⁶³ Ibid.

⁶⁴ Tatad, Francisco. "War on Drugs' becomes war on human rights." *Manila Times*. September 15, 2017, <https://www.manilatimes.net/war-drugs-becomes-war-human-rights/350755/>.

⁶⁵ "Duterte faces fresh case at ICC over drug war." *ABS-CBN News*. August, 28, 2018, <https://news.abs-cbn.com/news/08/28/18/duterte-faces-fresh-case-at-icc-over-drug-war>.

⁶⁶ Ibid.

⁶⁷ Ibid.

3. What strategies can be undertaken to reframe the drug problem as a health issue rather than merely an issue on crime?
4. What role can the international community play that will not be seen as intervention on Philippine sovereignty? How would you evaluate the involvement of the international community thus far?

Bibliography

AgenceFrance. "Philippines: Duterte says son will be killed if he is involved in drugs." *The Guardian*. September 21, 2017, <https://www.theguardian.com/world/2017/sep/21/philippines-duterte-son-will-be-killed-if-he-is-involved-in-drugs>.

Aldaba, Fernando., Bacani, Jessalaine. "Revisiting our Poverty Statistics." *BusinessMirror*. January 11, 2018, <https://businessmirror.com.ph/revisiting-our-poverty-statistics/>.

Amnesty International "If you are poor, you are killed." Extrajudicial Executions in the Philippines' 'War on Drugs' London, UK: Amnesty International, 2017. <https://www.amnesty.org/download/Documents/ASA3555172017ENGLISH.PDF>.

Bosetti, Louise., Cockayne, James., De Boer, John. *Crime-Proofing Conflict Prevention, Management, and Peacebuilding: A review of Emerging Good Practice*. Tokyo: UN University, 2016.

Buan, Lian. "Supreme Court ousts Chief Justice Sereno." *Rappler*. May 11, 2018, <https://www.rappler.com/nation/202236-sereno-ousted-supreme-court-quo-warranto-decision>.

Castaneda, Jason. "Is Duterte's family involved in drug trade?" *Asia Times*. September 5, 2017, <http://www.atimes.com/article/dutertes-family-involved-drug-trade/>.

D'Angelo, Chris. "Killers are paid up to \$300 per head in Philippines' Deadly War on Drugs: Report." *Huffington Post*. February 2, 2017, https://www.huffingtonpost.com/entry/philippines-drug-war-amnesty-international-report_us_589218aae4b02772c4ea9e2b

Dancel, Raul. "Marawi conflict: Duterte declares liberation of war-torn city after nearly five months of fighting." *The Straits Times*. October 17, 2017, <https://www.straitstimes.com/asia/se-asia/philippine-president-duterte-declares-marawi-city-liberated-from-pro-isis-militants>.

Dancel, Raul. "Benigno Aquino's six-year legacy: Fast growth but masses who never enjoyed benefits turned against him." *The Straits Times*. July 6, 2016, <https://www.straitstimes.com/asia/aquinos-six-year-legacy>.

Dangerous Drugs Board. *2015 Nationwide Survey on the Nature and Extent of Drug Abuse in the Philippines*. <http://pcij.org/wp-content/uploads/2017/06/DDB-2015-Nationwide-Survey-Final-Reportc.pdf>. Accessed October 30, 2018

Dangerous Drugs Board. "Facts about drug abuse." Accessed October 30, 2018. <https://www.ddb.gov.ph/newsroom/46-sidebar/58-facts-on-drugs>.

Dangerous Drugs Board. "Strategies". <https://www.ddb.gov.ph/about-ddb/strategies>. Accessed October 30, 2018.

Davies, Nick. "The \$10bn question: What happened to the Marcos Millions?" *The Guardian*. May 7, 2016, <https://www.theguardian.com/world/2016/may/07/10bn-dollar-question-marcos-millions-nick-davies>.

Delano, James. (Photographer). Poster promotes the 'Tokhang' (drug campaign) [digital image]. August 14, 2018, <https://www.theguardian.com/global-development/2018/aug/14/death-drugs-duterte-philippines-poor-bear-brunt-of-narco-crackdown>.

"De Lima marks first year in detention." *ABS-CBN News*. February 24, 2018, <https://news.abs-cbn.com/news/02/24/18/de-lima-marks-first-year-in-detention>.

"Duterte faces fresh case at ICC over drug war." *ABS-CBN News*. August 28, 2018, <https://news.abs-cbn.com/news/08/28/18/duterte-faces-fresh-case-at-icc-over-drug-war>.

Esquire Philippines. "The Rodrigo Duterte Interview." *Esquire Magazine*. August 25, 2016, <https://www.esquiremag.ph/politics/the-rodriigo-duterte-interview-a1502-20160825-lfrm5>.

Etter, Lauren. "What happens when the Government uses Facebook as a Weapon?" *Bloomberg*. December 7, 2017, <https://www.bloomberg.com/news/features/2017-12-07/how-rodriigo-duterte-turned-facebook-into-a-weapon-with-a-little-help-from-facebook>.

Hegina, Aries Joseph. "Davao City improves to 5th in ranking of world's safest cities." *Inquirer*. June 24, 2015, <https://globalnation.inquirer.net/125132/davao-city-improves-to-5th-in-ranking-of-worlds-safest-cities>.

Heydarian, Richard. "The Philippines' Strongman Syndrome." *Aljazeera*. December 4, 2017, <https://www.aljazeera.com/indepth/opinion/philippines-strongman-syndrome-171204114823206.html>.

Holmes, Oliver. "Philippines President order police to stop all anti-drug operations." *The Guardian*. February 1, 2017, <https://www.theguardian.com/world/2017/feb/01/philippines-president-rodriigo-duterte-orders-police-stop-anti-drug-operations>.

Human Rights Watch. *License to Kill: Philippine Police Killings in Duterte's "War on Drugs"*. 2017 Retrieved from <https://www.hrw.org/report/2017/03/02/license-kill/philippine-police-killings-dutertes-war-drugs>.

Keenan, Jillian. "The Grim Reality behind the Philippines' Economic Growth." *The Atlantic*. May 7, 2013, <https://www.theatlantic.com/international/archive/2013/05/the-grim-reality-behind-the-philippines-economic-growth/275597/>.

Lacuata, Rose Carmelle. "Duterte trust rating up in 3rd quarter of 2018: SWS." *ABS-CBN News*. October 27, 2018, <https://news.abs-cbn.com/news/10/27/18/duterte-trust-rating-up-in-3rd-quarter-of-2018-sws>.

Leonen, Julius. "Duterte admits drug problem won't end under his watch." *Inquirer*. August 14, 2018, <https://newsinfo.inquirer.net/1021310/duterte-admits-drug-problem-wont-end-under-his-watch>.

Lim, Frinston., Nawal, Allan. "Duterte to cops: Kill criminals if you have to, I'll protect you." *Inquirer*. January 18, 2018, <https://newsinfo.inquirer.net/961396/duterte-to-cops-kill-criminals-if-you-have-to-ill-protect-you>.

Manabat, Johnson., Reformina, Ina. "Supreme Court rules CJ Sereno ouster final." *ABS-CBN News*. June 19, 2018, <https://news.abs-cbn.com/news/06/19/18/supreme-court-rules-cj-sereno-ouster-final>.

Marquez, Consuelo. "Human rights crisis in Philippines intensified amid drug war." *Inquirer.net*. January 17, 2019. <https://newsinfo.inquirer.net/1074346/human-rights-crisis-in-philippines-intensified-amid-drug-war-hrw>

Mogato, Manuel. "Philippines' Duterte to target only 'big fish' after police, military kill thousands in drug war." *Reuters*. October 12, 2017, <https://www.businessinsider.com/philippines-duterte-to-target-only-big-fish-in-drug-war-2017-10/?IR=T>.

Mogato, Manuel., Baldwin, Clare. "Special Report: Police describe kill rewards, staged crime scenes in Duterte's drug war." *Reuters*. April 18, 2017, <https://www.reuters.com/article/us-philippines-duterte-police-specialrep/special-report-police-describe-kill-rewards-staged-crime-scenes-in-dutertes-drug-war-idUSKBN17K1F4>.

Morales, Neil Jerome. "Philippine survey shows big support for Duterte's drugs war." *Reuters*. October 16, 2017, <https://www.reuters.com/article/us-philippines-drugs/philippine-survey-shows-big-support-for-dutertes-drugs-war-idUSKBN1CL0FM>.

Nachtwey, James. (Photographer). The scene of a killing under a bridge in Manila on Dec. 6 [digital image]. January 5, 2017, <http://time.com/philippines-drug-war>.

Paddock, Richard. "Becoming Duterte: The Making of a Philippine Strongman." *New York Times*. March 21, 2017, <https://www.nytimes.com/2017/03/21/world/asia/rodrigo-duterte-philippines-president-strongman.html>.

Philippine Drug Enforcement Agency. "#REALNUMBERSPH." <http://pdea.gov.ph/2-uncategorised/279-realnumbersphs>. Accessed November 6, 2018

Philippine Statistics Authority. "Employment Rate in January 2018 is estimated at 94.7 Percent." <http://www.psa.gov.ph/content/employment-rate-january-2018-estimated-947-percent>. Accessed 03 November 3, 2018.

“Philippines President Rodrigo Duterte tells UN human rights expert ‘to go to hell.’” *The Telegraph*. June 3, 2018, <https://www.telegraph.co.uk/news/2018/06/03/philippines-president-rodrigo-duterte-tells-un-human-rights/>.

Placido, Dharel. “6 Killed daily: War on Drugs now ‘less bloody’ – PNP.” *ABS-CBN News*. August 17, 2018, <https://news.abs-cbn.com/news/08/17/18/6-killed-daily-war-on-drugs-now-less-bloody-ppnp>.

Quibilan, Jason. (Photographer). The Rodrigo Duterte Interview [digital image], August 25, 2017, <https://www.esquiremag.ph/politics/the-rodrigo-duterte-interview-a1502-20160825-lfrm5>.

Quintos, Patrick. “Poor Filipinos most vulnerable in Duterte’s drug war: study.” *ABS-CBN News*. June 25, 2018, <https://news.abs-cbn.com/focus/06/25/18/poor-filipinos-most-vulnerable-in-dutertes-drug-war-study>.

Ranada, Pia “Is Duterte’s 4 million drug addicts a real number?” *Rappler*. May 6, 2017, <https://www.rappler.com/rappler-blogs/169009-duterte-drug-addicts-real-number>.

Ranada, Pia. “Duterte orders 6-month closure of Boracay.” *Rappler*. April 4, 2018, <https://www.rappler.com/nation/199580-duterte-orders-closure-boracay-6-months>.

Sabillo, Kristine Angeli. “Duterte fires Dangerous Drugs Board chief for ‘contradicting’ stats.” *Inquirer*. 24 May 2017 <https://newsinfo.inquirer.net/899267/duterte-fires-dangerous-drugs-board-chief-for-contradicting-stats>.

Sagoli, Damir. “Just how big is the drug problem in the Philippines anyway?” *The Conversation*. October 13, 2016, <http://theconversation.com/just-how-big-is-the-drug-problem-in-the-philippines-anyway-66640>.

Salaverria, Leila. “Cash for cops in drug war.” *Inquirer*. September 25, 2016, <https://newsinfo.inquirer.net/818687/cash-for-cops-in-drug-war>.

Talabong, Rambo. “Kian and Carl: What the deaths of two boys have in common.” *Rappler*, September 4, 2017. <https://www.rappler.com/newsbreak/iq/181093-kian-delos-santos-carl-angelo-arnaiz-similarities-differences-explainer>.

Tatad, Francisco. “‘War on Drugs’ becomes war on human rights.” *Manila Times*. September 15, 2017, <https://www.manilatimes.net/war-drugs-becomes-war-human-rights/350755/>.

Tejano, Ivy. “NBI still looking for Lascanas, Matobato.” *Sun Star*. January 16, 2018, <https://www.sunstar.com.ph/article/414306>.

Tupas, Emmanuel. "PNP denies drug war cash reward for cops." *Philippine Star*. November 2, 2017, <https://www.philstar.com/headlines/2017/11/02/1755143/pnp-denies-drug-war-cash-reward-cops>.

UN Development Group. *Conducting a Conflict and Development Analysis (CDA)*. New York, NY: UNDG, February 2016.

Villamor, Felipe. "Duterte, Citing Hitler, Says He Wants to Kill 3 Million Addicts in the Philippines." *The New York Times*. September 30, 2016. <https://www.nytimes.com/2016/10/01/world/asia/philippines-rodrigo-duterte-hitler-drugs.html>.

Villamor, Felipe. "Duterte orders strict smoking ban in Philippines, and asks Citizens to help." *New York Times*. May 18, 2017, <https://www.nytimes.com/2017/05/18/world/asia/rodrigo-duterte-smoking-ban-philippines.html>.