



ICHRP-Canada
INTERNATIONAL COALITION FOR
HUMAN RIGHTS IN THE PHILIPPINES

November 27, 2021

Karim Khan
Information and Evidence Unit
Office of the Prosecutor
Post Office Box 19519
2500 CM The Hague
The Netherlands
Transmitted via Electronic Mail:
otp.informationdesk@icc-cpi.int

ICHRP-Canada calls for ICC INVESTIGATION OF Duterte's CRIMES AGAINST HUMANITY to proceed without delay.

Dear Sir,

The International Coalition for Human Rights in the Philippines (ICHRP-Canada), expresses its extreme disappointment with the ICC decision to temporarily suspend their investigation into the alleged crime against humanity of murder in the Philippine government's in 'war on drugs' at the request of the Philippine government.

The request from the Philippine government was based on two arguments:

- 1) that the Philippines is conducting its own investigation of these crimes and the intervention of the ICC is not required.
- 2) that in most instances the police were defending themselves while apprehending suspects and that the killings are considered just.

As is expressed in the letter sent on November 25 by Mr. Peter Murphy, Chairperson of ICHRP Global who respectfully submit that the investigation should re-commence as soon as possible:

“These two arguments had already been put repeatedly to the Office of the Prosecutor prior to your predecessor's June 2021 recommendation for the investigation, and the September 15, 2021, authorisation of the investigation by the Pre-Trial Chamber I. They cannot be persuasive.”

Contrary to the Philippine government's deferral request, its domestic mechanisms are ineffective and are failing to hold perpetrators of human rights violators in the drug war accountable. The credible evidence by the ICC Prosecutor and the findings of the [First and Second Reports of the Independent International Commission of Investigation into Human Rights Violations in the Philippines \(Investigate PH\)](#), identify the lack of impartiality and fully functioning judiciary. The second report of Investigate PH on the three wars showed how the courts had been used to support police actions through issuing bogus warrants in both the War on Dissent and the War on Drugs.

The claim that the country's domestic institutions and mechanisms of accountability are "fully functional" and the commitment of the government to accountability is not supported by evidence of actions, is a clear attempt to block justice and accountability by the Philippine Government. The Department of Justice is investigating a mere 52 cases out of thousands and Rodrigo Duterte and the other respondents in the ICC process are not the subjects of these investigations. Moreover, the Administrative Order No. 35's task force on extrajudicial killings has made very little progress in stopping the killings of activists, human rights defenders and journalists.

The Duterte regime has effectively weaponized the courts in its whole of nation approach to quell dissent and support heavy-handed police and military action against the Filipino people. The prosecutor and the Investigate PH concluded that there are no domestic remedies available to the people of the Philippines, and the deaths of tens of thousands of Filipinos under Duterte are no accident; it is state policy.

ICHRP-Canada strongly urges that the ICC reviews its suspension decision and continues its "investigation into any alleged crime within the jurisdiction of the Court, including but not limited to the crime against humanity of murder, committed in the Philippines between November 1, 2011, and March 16, 2019, in the context of the so-called 'war on drugs campaign'" and collect evidence and build the case against the Duterte's government of crimes against humanity. The ICC needs to give a voice and give access to justice to the victims of this tyrannical regime.

In Peace and Solidarity

Patricia Lisson, (Rev.)
Chairperson of ICHRP-Canada

Cc: The Right Honourable Justine Trudeau, Prime Minister
Mélanie Joly, Minister of Foreign Affairs
Claude DeBellefeuille, Whip of the Bloc Québécois, MP
Heather McPherson, Deputy Whip of the New Democratic Party, MP
Alexis Brunelle-Duceppe, Bloc Québécois, MP
Mr. Lundy, Global Affairs Canada