



# The Effect of the Philippine 'War on Drugs' on Civic Space

*Ateneo Human Rights Center  
(Ray Paolo J. Santiago, Marianne Carmel  
B. Agunoy, Maria Paula S. Villarin,  
Maria Araceli B. Mancía)*



May 2023

[civic-futures.org](http://civic-futures.org)



# [Acknowledgments

This paper was written by a team of academic human rights researchers in the Philippines under the Civic Futures initiative. It was supported by the **Fund for Global Human Rights and Active Vista Center Inc.** and edited by **Paulynn Sicam**.

## About the Author

The **Ateneo Human Rights Center (AHRC)** is a university-based institution engaged in the promotion and protection of human rights. Founded in 1986, after the historic EDSA Revolution, its mission is to respect, protect and promote human rights through engagement with communities and partner organizations. AHRC's main areas of work include human rights training and education of law students and other sectors; promotion and protection of the rights of marginalized groups, including children, women, migrant workers, and indigenous peoples; development of an ASEAN human rights mechanism; research, publication, curriculum development, legislative advocacy, and policy initiatives on human rights.

Over the years, AHRC has partnered with different funding agencies in pursuit of its mandate, including USAID through The Asia Foundation, United Nations Global Initiative to Fight Human Trafficking, United Nations Fund for Women, United Nations High Commissioner for Refugees, United Nations Children's Fund, Canadian International Development Fund, Ford Foundation, European Union, International Labor Organization, The Norwegian Fund, the Australian Agency for International Development, the Friedrich Naumann Foundation, among others.

**Ray Paolo J. Santiago** is the Executive Director of the Ateneo Human Rights Center and the Secretary-General of the Working Group for an ASEAN Human Rights Mechanism, a recognized entity in the ASEAN Charter. He is active in litigation involving cases affecting vulnerable groups, particularly women, children, urban poor, and peasants. A member of the Ateneo Law Faculty since 2003, he obtained his Juris Doctor from the Ateneo de Manila University in 2001, where he also received the Roberto Gana Service Award.

**Marianne Carmel B. Agunoy** is the Internship Director of the Ateneo Human Rights Center and coordinator for student formation of the Ateneo Law School. At AHRC, she is focused mainly on promoting access to justice through awareness raising and training, capacity building, and local and regional institution building working in various areas, including research, advocacy, policy, and the development of training materials.

**Maria Paula S. Villarin** is a staff lawyer of the Ateneo Human Rights Center working on access to justice projects that involve cooperating and coordinating with government agencies and CSOs to conduct capacity building and awareness raising activities, advocacy and policy research, as well as module development. She is also the program manager of the Working Group for an ASEAN Human Rights Mechanism. Paula graduated from the Juris Doctor Program of the Ateneo Law School in 2018 under the International Law track. She became a member of the Integrated Bar of the Philippines in May 2019.

**Maria Araceli B. Mancia** is a project assistant at the Ateneo Human Rights Center involved in special projects that focus on promoting access to justice through capacity building and the strengthening of local and international institutions. She assists in human rights advocacy research and develops training materials. She is an active volunteer of the Working Group for an ASEAN Human Rights Mechanism.

# [Abbreviations and Acronyms

<b>ADB</b>	Asian Development Bank
<b>CBCP</b>	Catholic Bishops' Conference of the Philippines
<b>CHR</b>	Commission on Human Rights
<b>DADIN</b>	Drug Abuse Data and Information Network
<b>DDB</b>	Dangerous Drugs Board of the Philippines
<b>DDB-DIAL</b>	Dangerous Drugs Board Drug Information Action Line
<b>DDS</b>	Davao Death Squad
<b>DOLE</b>	Department of Labor and Employment
<b>ICC</b>	International Criminal Court
<b>NADS</b>	National Anti-Drug Strategy
<b>NADPA 2015-2020</b>	National Anti-Drug Program of Action 2015-2020
<b>PDEA</b>	Philippine Drug Enforcement Agency
<b>Project HVT</b>	Project: High Value Target
<b>UNJP</b>	UN Joint Program on Human Rights
<b>UNODC</b>	UN Office on Drugs and Crime

The authors would like to thank the following organizations, human rights defenders, and academe, including those not listed for their safety and security, for their review and feedback on first draft of the research:

Foundation for Media Alternatives (FMA)

iDefend

KARAPATAN

Karl Arvin F. Hapal - Assistant Professor  
College of Social Work and Community Development  
University of the Philippines, Diliman

National Union of Peoples' Lawyers (NUPL)

No Box Philippines

Philippine Alliance of Human Rights advocate (PAHRA)

Resbak

Ria Landingin, Lunas Collective

Ritz Lee Santos III

The Women's Legal and Human Rights Bureau, Inc., (WLB)



Source: Photo by Raffy Lerma  
Families of drug war victims carry a banner from artists' group RESBAK and join the protest ahead of President Rodrigo Duterte's fifth and final State of the Nation Address (SONA) along Commonwealth Avenue, Quezon City, July 26, 2021.



## I. Context

A *Rappler* article<sup>1</sup> published at the beginning of the year 2016, a few months before the presidential election that catapulted Rodrigo Duterte to the presidency, painted a picture of the crime situation in the Philippines. It stated that “[t]he number of reported crimes has been rising, while the ability of the police to solve crimes has decreased.” The years 2012 to 2014 showed that serious crimes, such as murder, rape, robbery, and carnapping, rose by 300%; “[i]n 2012, 129,000 index crimes were reported. In 2013, they shot up to 458,000, while in 2014, the number rose slightly to 493,000.”

It also gave a glimpse of the illegal drug situation in the country, saying that according to the United Nations World Drug Report [2012], “the Philippines has the highest rate of shabu use in East Asia” although it clarified that the Aquino administration “reported the decline of industrial-size meth labs” which the US State department attributed to the “45% increase in anti-drug operations.”

It was no surprise then that the idea of a leader with a “strong hand” or an “iron fist” resonated among the Filipino electorate.

1 Pia Randa, A look at the state of crime, drugs in the Philippines, *Rappler*, January 5, 2016, <https://www.rappler.com/nation/118004-crime-drugs-philippines/>

Prior to his election as the 16th President of the Republic of the Philippines, Duterte vowed to campaign against illegal drugs and that it would be bloody. He said he would order the killing of all criminals and drug lords, including their dependents.<sup>2</sup> In fact, even before Duterte was sworn in as President on 30 June 2016, there had already been a rise in drug-related killings.<sup>3</sup>

This position emboldened the already lopsided view that the drug problem in the Philippines is primarily an issue of law enforcement and criminality, rather than of health.<sup>4</sup> Duterte's campaign promise paved the way for a securitized approach to the drug problem by putting emphasis on punitive measures and the major role he gave the Philippine National Police (PNP) in the so-called "war on drugs". Its intensified implementation heavily limited the civic space on drug-related matters and concerns, not only with regard to the health policies that should go hand-in-hand with law enforcement, it also discouraged, in fact, blatantly intimidated, any opposition to the policies set by the Duterte administration.

This research paper explores the impact that Duterte's securitized approach to the drug problem had on the civic space of those who advocate against the drug policy and document abuses under it, and concerned citizens who organize and speak out against the human rights abuses wrought in their communities under the guise of public security. It documents how a national health problem was reframed as a security threat, fueling a moral panic that helped Duterte justify and popularize the security-first approach to the nation's drug problem. At the core of it, the "war on drugs" was characterized by initiatives meant to incite fear and shame, to dissuade people from engaging and exercising their rights, thus effectively shrinking the civic space.

**A national health problem was reframed as a security threat, fueling a moral panic that helped Duterte justify and popularize the security-first approach to the nation's drug problem. At the core of it, the "war on drugs" was characterized by initiatives meant to incite fear and shame, to dissuade people from engaging and exercising their rights, thus effectively shrinking the civic space.**

2 Patricia Lourdes Viray, "Duterte Admits to 'bloody' Presidency If He Wins," The Philippine Star, February 21, 2016, <https://www.philstar.com/headlines/2016/02/21/1555393/duterte-admits-bloody-presidency-if-he-wins>

3 Mara Cepeda, "Drug Suspect Killings Rise after Duterte Victory," Rappler, June 24, 2016, <https://www.rappler.com/nation/137528-rise-drug-suspect-killings-duterte-presidency>

4 Nymia Simbulan, Leonardo Estacio, Carissa Dioquino-Maligaso, Teodoro Herbosa and Mellissa Withers, "The Manila Declaration on the Drugs Problem in the Philippines," Annals of Global Health, March 5, 2019, <https://annalsofglobalhealth.org/articles/10.5334/aogh.28/>



## II. The ‘War on Drugs’

Duterte’s “war on drugs” officially started immediately upon his assumption of office, when his Chief of the PNP, Director General Ronaldo dela Rosa, issued Command Memorandum Circular No. 16-2016, a.k.a “Project: Double Barrel”. The circular stated that there were around 1.8 million drug users in the Philippines, 38.36% of whom are unemployed. Project: Double Barrel had a two-pronged approach – Project TOKHANG and Project HVT (High Value Target). The circular provided the “general guidelines, procedures and tasks” to be followed by all police personnel “in support of the Barangay Drug Clearing Strategy of the government and the neutralization of illegal drug personalities nationwide.”

The approach was unique in itself. The term *Tokhang* comes from the words “*Toktok*” and “*Hangyo*.” *Toktok* means “to knock” while the Visayan word *Hangyo* means “to make an appeal or plead”. In short, *Tokhang* refers to knocking on the doors of the houses of suspected drug users or peddlers and appeal to them to surrender and change their ways.

On paper, Project *Tokhang* had five stages: (1) the collection and validation of information, (2) coordination by the PNP with the local government officials of the barangay, (3) house-to-house visitation, (4) processing and documentation of the surrenderer, and (5) monitoring and evaluation of the persons on the list of suspected drug personalities.

*Tokhang*, however, is an aberration of the Rules of Criminal Procedure since it requires neither a criminal complaint that is actually filed against suspected drug personalities, nor an arrest or search warrant when the house-to-house visitation is conducted.<sup>5</sup> Yet, hundreds of thousands of drug users surrendered due to the climate of killings that came simultaneously with what is now known as the “war on drugs”. Once a suspected drug personality surrenders, he or she has to accomplish an affidavit with no choice but to claim that the surrenderer is a “user, drug dependent, or pusher.”

From July 1, 2016 to September 26, 2017, the PNP conducted 76,863 anti-drug operations that resulted in the death of 3,906 drug personalities and the arrest of 113,932 others. The drug war was criticized by opposition lawmakers, the United Nations, and local and international human rights groups for extrajudicial killings allegedly committed by police officers.<sup>6</sup>

As of February 2022, the drug-related killings in the country totaled 6,235, according to the Philippine Drug Enforcement Agency (PDEA).<sup>7</sup> However, the actual figure could go as high as 30,000, according to human rights groups monitoring the situation.<sup>8</sup>

The anti-drug campaign was much different before Duterte.

5 Euan McKirdy, “‘Knock and Plead’ – On Night Patrol with Philippines Police,” CNN, August 25, 2016, <https://www.cnn.com/2016/08/25/asia/philippines-police-knock-and-plead-drug-operations/index.html>

6 Lara Tan, “No More ‘Oplan Tokhang’: Police Suspends All Anti-Drug Operations,” CNN Philippines, October 12, 2017, <https://www.cnnphilippines.com/news/2017/10/12/npn-oplan-tokhang-project-double-barrel-suspended-bato-dela-rosa.html>

7 Zacarian Sarao, “Total Drug War Deaths at 6,235 as of February 2022, Says PDEA,” Inquirer.net, March 30, 2022, <https://newsinfo.inquirer.net/1575931/total-drug-war-deaths-at-6235-as-of-feb-28-says-pdea>

8 Franco Luna, “New PNP Chief Promises ‘Finale Version 2022’ in ‘War on Drugs,’” The Philippine Star, November 15, 2021, <https://www.philstar.com/headlines/2021/11/15/2141486/new-npn-chief-promises-finale-version-2022-war-drugs>



Source: Photo by Raffy Lerma  
A wreath adorns the site where 17-year-old Kian delos Santos was shot and killed by three police officers during the first anniversary of his death in Caloocan, Metro Manila, on August 15, 2018.

### III. The Comprehensive Dangerous Drugs Act of 2002

The Philippine legislature passed the Comprehensive Dangerous Drugs Act of 2002<sup>9</sup> which repealed the Dangerous Drugs Act of 1972. The current law provides that “the government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs, and projects” with the “aim to achieve a balance in the national drug control program so that people with legitimate medical needs are not prevented from being treated with adequate amounts of appropriate medications...”

The law retained the Dangerous Drugs Board (DDB) of the Philippines which is the policy-making and strategy-formulating body on drug prevention and control, and is responsible for developing and adopting a comprehensive, integrated, unified and balanced national drug abuse prevention and control strategy. The DDB recognizes that “[t]he drug issue is undoubtedly a public health challenge that must be prioritized because it creates complex health and social problems,” and recommends a “rigorous anti-drug cleansing through the shared efforts of national government agencies, non-government organizations, faith-based groups and the private sector.”<sup>10</sup>

9 Republic Act No. 9165 “Comprehensive Dangerous Drugs Act of 2002”.

10 Dangerous Drugs Board of the Philippines, “Major Programs & Projects,” Dangerous Drugs Board of the Philippines, at <https://ddb.gov.ph/major-programs-projects/>, last accessed 17 January 2023.

In 2002, the DDB adopted a National Anti-Drug Strategy (NADS) with a three-pronged approach to the anti-drug campaign: a supply and demand reduction campaign; a development/reform package; and a people empowerment campaign.<sup>11</sup> To operationalize the NADS, the National Anti-Drug Program of Action (2002 NADPA) was developed.<sup>12</sup> Over a decade later, the 2002 NADPA was re-examined and updated to include and consider changes to the evolving campaign against drugs.<sup>13</sup> This led to the development of the National Anti-Drug Program of Action 2015–2020 (NADPA 2015–2020).

The DDB led the drafting of the NADPA 2015–2020, which provided for a broad framework to address the drug problem in the Philippines. It listed five strategies, namely:<sup>14</sup>

- a. *Drug Supply Reduction Strategy* that aims to remove drugs from the public for the purpose of abuse, through market denial operations and prevention of diversion from the licit to the illicit markets. Programs under this strategy involve law enforcement, regulatory compliance, and judicial and legislative measures designed to stop the production, processing, trafficking, financing and trade of dangerous drugs.
- b. *Drug Demand Reduction Strategy* takes people away from abusing dangerous drugs and controlled substances and aims to reduce their desire to abuse drugs. Programs under this strategy cover the formulation of policies in accordance with RA 9165; the development and implementation of preventive education programs for different target groups; adoption and utilization of effective treatment and rehabilitation and after-care programs; and the continuous conduct of research on vital aspects of the drug abuse problem.

- c. *Alternative Development Strategy* which has the objective to reduce the production of marijuana and eventually eliminate its cultivation through sustainable rural development and alternative livelihood programs.
- d. *Civic Awareness and Response Strategy* that aims to increase community awareness and social responsibility on the ill effects of dangerous drugs by promoting the non-use of dangerous drugs through community information and development activities; publication and distribution of IEC materials; implementation of public communication strategies through press conferences, press releases, media guesting, and community/family participation.
- e. *Regional and International Cooperation Strategy* that focuses on forging and fostering cooperation with regional and international agencies and counterparts, as well as participating in drug-related international efforts.

Under each of these strategies are detailed programs with their corresponding objectives, points of action, and performance measures.

11 Dangerous Drugs Board. n.d. "National Anti-Drug Plan of Action 2015–2020." Dangerous Drugs Board of the Philippines. <https://nia.gov.ph/content/plan-action-2015-2020>

12 *Id.*

13 *Id.*

14 *Id.*



The anti-drug advocacy programs of the DDB encouraged public participation. It created the DDB Drug Information Action Line (DDB-DIAL) to receive reports and complaints related to drug abuse and to provide relevant information and assistance to the public. The DDB also set up an online drug data pooling and collection system, Integrated Drug Abuse Data and Information Network (IDADIN), that allows better management and assessment of the overall drug demand and supply reduction efforts undertaken by the government. There is also the *Barkada Kontra Droga*, the DDB's flagship program, a peer-based program designed as a preventive education and information strategy to counter the dangers and disastrous effects of drug abuse.<sup>15</sup>

In 2015, former President Benigno “Noynoy” Aquino III issued Memorandum Circular No. 89 directing all government offices, departments, bureaus, agencies, offices and government-owned or controlled corporations to implement the NADPA.<sup>16</sup> The circular instructed the Department of Labor and Employment (DOLE) to ensure the implementation of a drug-free workplace policy and program.<sup>17</sup> It also enjoined local government units and NGOs, CSOs, and the private sector to actively assist and participate in the implementation of the NADPA.<sup>18</sup> Moreover, implementing agencies were given authorization to include the necessary funding in their respective budgets.<sup>19</sup>

## IV. Enter Project: Double Barrel

However, in 2016, and without prior consultation, the PNP's Command Memorandum Circular on Project Double Barrel, with its notorious *Tokhang* approach which, to the public, was synonymous to killing, became the primary policy of Duterte's “war on drugs”.<sup>20</sup>

There were tell-tale signs during the presidential campaign of how deadly Duterte's anti-drug campaign could be. He was known for his no-nonsense approach in addressing the problem when he was mayor of Davao City. He made it clear during his campaign to use his unconventional ways of addressing drugs and criminality, which alarmed his fellow candidates who warned voters about the deadly measures promised by Duterte, should he win.<sup>21</sup>

His deadly rhetoric secured the presidency for Duterte.<sup>22</sup> And his approach to criminality through his “war on drugs” was brandished by his administration, with the PNP claiming that immediately, the crime rate dropped by at least 64% compared to his predecessor.<sup>23</sup>

15 Dangerous Drugs Board. n.d. “History.” Dangerous Drugs Board of the Philippines, <https://ddb.gov.ph/ddb-history/>

16 Memorandum Circular No. 89, “Implementation and Institutionalization of the National Anti-Drug Plan of Action”. 17 December 2015.

17 *Id.*

18 *Id.*

19 *Id.*

20 Robert Vergara, “Ex-PDEA Chief Says ‘Oplan Tokhang’ Should Be Renamed,” CNN Philippines, November 12, 2019, <https://www.cnnphilippines.com/news/2019/11/12/dionisio-santiago-oplan-tokhang-rename.html>

21 Manuel Mogato and Karen Lema, “Crime-Buster the Man to Beat on Eve of Philippines Election,” Reuters, May 8, 2016, <https://www.reuters.com/article/philippines-election-idINKCNOXZ037>

22 Anna Tasnim Basman and Rood Basman, “Philippine Elections: Politics and Peace Make Strange Bedfellows,” The Asia Foundation, May 18, 2016, <https://asiafoundation.org/2016/05/18/philippine-elections-politics-peace-make-strange-bedfellows/>

23 Emmanuel Tupas, “PNP: Crimes Drop by 64% in Duterte's Term,” The Philippine Star, July 11, 2021, <https://www.philstar.com/nation/2021/07/11/2111641/pnp-crimes-drop-64-dutertes-term>

The policy pronouncements on the “war on drugs” “point to a war waged mainly as a police operation with accomplishment/success pegged on an ever-lengthening trail of bodies and victims.”<sup>24</sup> It is evident that it was more of a police or law enforcement operation rather than an integrated or wholistic approach, which should have included the health aspect.

The lack of understanding of the drug problem, even the populist approach to it, “used the literature on ‘moral panic’ to explain the long-standing vilification of drugs in the country. Drawing on the literature on penal and medical populisms, more recent scholarship has implicated political actors in reflecting and reinforcing public attitudes about drugs, portraying these actors as ‘moral entrepreneurs’ who simplify, spectacularize, and forge divisions between ‘addicts’ and the virtuous public.”<sup>25</sup>

To further add to the “moral panic,” Duterte not only called the drug problem a crisis, he even referred to it as a national security threat, “an invasion of a new kind.”<sup>26</sup> And indeed, with overwhelming public support, Duterte was successful in securitizing the drug problem in the Philippines as a criminal rather than a health issue, emphasizing that “the smugglers to the dealers to the end users [who] seek to destroy the fabric of society... forfeit their very right to live.”<sup>27</sup>

**It was more of a police or law enforcement operation rather than an integrated or wholistic approach, which should have included the health aspect.**

The idea of “speedy justice” also added to the appeal of Duterte’s “war on drugs”. As noted by the International Committee of the Red Cross, “[t]he perception of a continuing failure of the Philippine criminal justice system to deliver fast and efficient justice has inevitably led to the erosion of public trust in the government. As a consequence, citizens are laden with anxiety because of unabated criminality and violence in their communities.”<sup>28</sup> The current state of criminal investigation in the country has been described as “slow and ineffective in prosecuting criminal cases and securing convictions in court.”<sup>29</sup> Consequently, as observed by criminal justice system expert Raymund Narag, “[e]xtrajudicial killings (EJKs) are justified for Filipinos because of the failure of the criminal justice system. It becomes a vicious cycle.”<sup>30</sup>

- 24 Clyde Ben Gacayan, “Till Death(s) Do Us Part?: Policy ‘Design Trace’ of the Philippine Anti-Illegal Drug Campaign,” n.d. University of the Philippines - Center for Integrative and Development Studies. [https://cids.up.edu.ph/wp-content/uploads/2020/10/Article\\_Gacayan.pdf](https://cids.up.edu.ph/wp-content/uploads/2020/10/Article_Gacayan.pdf)
- 25 Gideon Lasco and Lee Edson Yarcia, “The Politics of Drug Rehabilitation in the Philippines.” *Health and Human Rights* 24 (1): 147–58, July 2022, <https://www.hhrjournal.org/2022/06/the-politics-of-drug-rehabilitation-in-the-philippines/>
- 26 Camille Diola, “How Duterte’s Drug War Can Fail,” *The Philstar*, September 19, 2016, <https://newslab.philstar.com/war-on-drugs/policy>
- 27 Henry Pope, “Philippines’ Duterte Says He Will Never Apologize for Drug War Deaths.” *Organized Crime and Corruption Reporting Project*, January 6, 2022, <https://www.occrp.org/en/daily/15739-philippine-s-duterte-says-he-will-never-apologize-for-drug-war-deaths>
- 28 Roy Panti Valenzuela, *Glimmers of Hope: A Report on the Philippine Criminal Justice System*, International Review of the Red Cross, 2018, <https://international-review.icrc.org/sites/default/files/irrc-903-8.pdf>
- 29 Senate of the Philippines: Press Release: De Lima Introduces Bill to Address Slow, Ineffective Justice System in the PH, Senate of the Philippines Website, July 4, 2019, [https://legacy.senate.gov.ph/press\\_release/2019/0704\\_delima2.asp](https://legacy.senate.gov.ph/press_release/2019/0704_delima2.asp)
- 30 Aye Macaraig and Agene France-Prese, “Slow Justice in Philippines as Drug War Rages,” *ABS-CBN News*, September 5, 2017, <https://news.abs-cbn.com/focus/09/05/17/slow-justice-in-philippines-as-drug-war-rages>

This has also been the pattern within the ASEAN (Association of Southeast Asian Nations).<sup>31</sup> A research<sup>32</sup> by the International Drug Policy Consortium, stated that drug policies in the region are usually made with a social context that disapproves of illicit drug use, constructing both intoxication and dependence as socially undesirable and a sign of moral weakness. This is a view that drugs diminish a person's social responsibility and it becomes a law and order issue – with drug use equated with criminal activity. Thus, drug laws focus on harsh punishment, allowing it to be, more or less, exclusively dominated by law enforcement agencies, with limited input from social and health disciplines. This point of view is evident in the “Bangkok Political Declaration in Pursuit of a Drug-Free ASEAN” adopted by the Association of Southeast Asian Nations in 2018.

## V. Duterte Administration's Anti-Illegal Drug Policy: The Political Message and High-level Rhetoric

The “war on drugs” was heavily enabled by the high-level rhetoric from no less than President Duterte himself. In many of his statements, he ordered law enforcement to “shoot and kill” drug smugglers and users.<sup>33</sup> In his early days as president, he made a controversial remark comparing himself to Adolf Hitler, saying, “Hitler massacred three million Jews ... there are three million drug addicts. I'd be happy to slaughter them.”<sup>34</sup>

President Duterte also made direct threats against drug users, saying in one speech, “Those who destroy my country, I will kill you. And those who destroy the young people of our country, I will kill you.”<sup>35</sup> On the eve of his 2016 election victory, he directly addressed drug pushers and users, saying, “If I make it to the presidential palace, I will do just what I did as mayor. You drug pushers, hold-up men, and do-nothings, you better get out because I'll kill you.”<sup>36</sup>

On his second day as President, Duterte gave the following order to the Philippine National Police: “Do your duty and if in the process you kill 1,000 persons because you were doing your duty, I will protect you.” Again and again, Duterte committed his full backing to the police force, reiterating the promise that he would take care of them,<sup>37</sup> and allowing them to go all-out in the “war on drugs”, even if it meant “destroying human life”.<sup>38</sup>

31 Association of Southeast Asian Nations (ASEAN), “ASEAN Good Practices and New Initiatives in HIV and AIDS,” ASEAN Website, 2014, <https://asean.org/wp-content/uploads/2021/03/63-2.pdf>

32 Simon Baldwin, “Drug Policy Advocacy in Asia: Challenges, Opportunities and Prospects,” International Drug Policy Consortium, 2013, <https://idhdp.com/mediaimport/43513/idpc-report-drug-policy-in-south-east-asia.pdf>

33 The Guardian, “‘If It's Drugs, You Shoot and Kill,’ Duterte Orders Philippine Custom Chief,” The Guardian, September 1, 2020, <https://www.theguardian.com/world/2020/sep/01/if-its-drugs-you-shoot-and-kill-duterte-orders-philippine-custom-chief> – “I told him straight, ‘Drugs are still flowing in. I'd like you to kill there ... anyway, I'll back you up and you won't get jailed. If it's drugs, you shoot and kill. That's the arrangement.’”

34 Megan Trimble, “9 of Rodrigo Duterte's Most Controversial Quotes,” U.S. News, December 19, 2019, <https://www.usnews.com/news/best-countries/slideshows/philippine-president-rodrigo-dutertes-9-most-controversial-quotes?slide=2>

35 Jim Gomez, “Philippine President Duterte Unabashedly Threatens to Kill Drug Dealers,” The Diplomat.com, July 27, 2021, <https://thediplomat.com/2021/07/philippine-president-duterte-unabashedly-threatens-to-kill-drug-dealers/>

36 Sebastian Strangio, “Duterte Says He Will ‘Never Apologize’ for Drug War Deaths,” The Diplomat.com, January 6, 2022, <https://thediplomat.com/2022/01/duterte-says-he-will-never-apologize-for-drug-war-deaths/>

37 Lim, Frinston and Nawal, Allan. 2018. “Duterte to Cops: Kill Criminals If You Have to, I'll Protect You.” Philippine Daily Inquirer, January 18, 2018. <https://newsinfo.inquirer.net/961396/duterte-to-cops-kill-criminals-if-you-have-to-ill-protect-you>

38 *Id.*

The President's statements were also addressed to the public, inciting public outrage against drug users and gaining support for his anti-drug policies. He went as far as saying that he would have his own son killed if the latter was involved in the drug trade.<sup>39</sup> This statement confirmed his commitment to go all out, sparing no one in the interest of the public. It is noted that many of his speeches circled around the narrative that drug users and traffickers are “destroying the country”, and that the “war on drugs” is needed “to save the country”. The drug war was also enabled by the rhetoric that criminals can be humiliated and killed in order to protect law-abiding and god-fearing Filipinos.<sup>40</sup>

Such statements could have been interpreted as a “license to kill”, by both law enforcement and vigilantes.<sup>41</sup> The repeated verbal encouragement by the President, together with the promise of impunity, popular support, and enabling policies, paved the way for government-orchestrated violence in the form of red-tagging, arbitrary arrests and detentions, and documented widespread and systematic killings.

**Many of his speeches circled around the narrative that drug users and traffickers are “destroying the country”, and that the “war on drugs” is needed “to save the country”.**

## VI. Civil Society Engagement on Harm Reduction

Despite the popularity of *Tokhang* in Duterte's “war on drugs”, there have been efforts, though low in support and popularity, to push for harm reduction strategies as a response to the country's drug problem emphasizing “not only a compassionate response, [but] also the most effective response.”<sup>42</sup> Senator Risa Hontiveros, a staunch advocate of harm reduction, emphasized that “[i]n order for our government to succeed in its campaign against illegal drugs and trafficking, we must also respond to the health and social issues that lead to drug dependence.”

The concept of harm reduction is not new in the Philippines. It has been used in addressing the spread of HIV-AIDS and has been advocated in the past by some civil society groups as well.<sup>43</sup> As explained by Senator Hontiveros, “Harm reduction strategies will allow the creation of friendly, community-based drop-in centers and outreach services, encourage the uptake of health services through improved peer education and support, and spend resources on sustainable, evidence-based policies and interventions at the community level.”

39 The Guardian, “Duterte Says His Son Will Be Killed If He Is Involved in Drugs,” *The Guardian Website*, September 21, 2017, <https://www.theguardian.com/world/2017/sep/21/philippines-duterte-son-will-be-killed-if-he-is-involved-in-drugs>

40 Danilo Andres Reyes, “The Spectacle of Violence in Duterte's ‘War on Drugs’,” *Journal of Current Southeast Asian Affairs* 35 (3): 111–137, <https://d-nb.info/1124904387/34>

41 United Nations High Commissioner for Human Rights, “Situation of Human Rights in the Philippines.” <https://www.ohchr.org/sites/default/files/Documents/Countries/PH/Philippines-HRC44-AEV.pdf>

42 Senate of the Philippines, “Press Release: Hontiveros: Harm Reduction Is the Most Effective and Compassionate Response to the Drug Problem,” Senate of the Philippines Website, September 15, 2016, [https://legacy.senate.gov.ph/press\\_release/2016/0915\\_hontiveros1.asp](https://legacy.senate.gov.ph/press_release/2016/0915_hontiveros1.asp)

43 Armando F. de Jesus, Minerva P. Calimag, Maria Carinnes A. Gonzales and Fredrick I. Rey, “Unsafe Injecting Drug Use, a Growing Source of HIV Transmission in the Philippines: Implications to Policy: Policy Brief,” United Nations Development Programme, December 2012 <https://www.undp.org/sites/g/files/zskgke326/files/migration/p11fd23d4859b9152e57c6b78a26c13129ab1d8d9dc9f9a903f1e288bbd048037.pdf>



At present, the closest and most recognizable medical approach to the drug problem is rehabilitation. However, as observed in a paper<sup>44</sup>, “[t]here is a dangerous tendency for reform advocates to condemn extrajudicial killings and due process rights violations as human rights concerns, while supporting rehabilitation as an acceptable alternative.” It emphasized that “the motivations behind gross human rights violations and forcing people to treatment are the same: the dehumanization of people who use drugs and the removal of their autonomy to decide on the treatment approaches that respond to their felt needs.” Clearly, this is an avenue for civic engagement.

Further, the DDB recognizes that “[t]he drug issue is undoubtedly a public health challenge that must be prioritized because it creates complex health and social problems”, and recommends a “rigorous anti-drug cleansing through the shared efforts of national government agencies, non-government organizations, faith-based groups and the private sector.”<sup>45</sup>

Even the UN Resident Representative to the Philippines emphasized that “[b]reaking the cycle of drugs, marginalization and poor socioeconomic prospects requires programs that link ‘science-based drug use prevention and treatment’ as well as ‘policies that prevent individuals and communities from participating in drug trafficking and production’, with ‘efforts to improve public health, increase economic development and public security, and reduce socio-economic inequalities’.”<sup>46</sup>

The UN Office on Drugs and Crime (UNODC) further explained that “[p]eople who use drugs are a heterogeneous population who may experience multiple and complex difficulties” and “problems may arise from a number of patterns of drug use and not just because someone is dependent on a drug.”<sup>47</sup>



Source: Photo by Raffy Lerma  
Mothers of extrajudicial killing victims join thousands of protesters along Commonwealth Avenue, Quezon City as President Rodrigo Duterte delivered his fourth State of the Nation Address on July 22, 2019.

The health aspect of the drug problem has been, and continues to be, one of the clear spaces for civic engagement in addressing the drug situation in the Philippines. But what are the consequences on peoples’ civic freedoms of this rhetorical and policy reframing of a health crisis as a security crisis and its manifestation in state violence and crackdown on civil society?

44 Gideon Lasco and Lee Edson Yarcia, “The Politics of Drug Rehabilitation in the Philippines.” *Health and Human Rights* 24 (1): 147–58, July 2022, <https://www.hhrjournal.org/2022/06/the-politics-of-drug-rehabilitation-in-the-philippines/>

45 Dangerous Drugs Board of the Philippines, “Major Programs & Projects,” Dangerous Drugs Board of the Philippines, n.d. <https://ddb.gov.ph/major-programs-projects/>

46 United Nations, “UN Philippines Chief Calls for Science-Based Prevention and Treatment to Break Cycle of Drug Abuse,” United Nations Website, June 16, 2021, <https://philippines.un.org/en/131561-un-philippines-chief-calls-science-based-prevention-and-treatment-break-cycle-drug-abuse>

47 United Nations Office on Drugs and Crimes, “Guidance for Community-Based Treatment and Care Services for People Affected by Drug Use and Dependence in Southeast Asia,” United Nations Office on Drugs and Crimes, April 2014, [https://www.unodc.org/documents/drug-treatment/UNODC\\_cbt\\_x\\_guidance\\_EN.pdf](https://www.unodc.org/documents/drug-treatment/UNODC_cbt_x_guidance_EN.pdf)

## VII. Effect of the ‘War on Drugs’ on Civic Space

In the simplest sense, civic space is the space “where people come together to exercise their human rights and core freedoms.”<sup>48</sup> This space is important as it helps shape policies and governance. How big and conducive this space is to allow participation and debate depends on a set of legal conditions and governmental response that enables an environment for people to be active, participate, and speak out – for people to act.<sup>49</sup>

Freedom of speech and expression is guaranteed by the Philippine Constitution which mandates that “[n]o law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.”<sup>50</sup> Furthermore, the Constitution recognizes the people’s right to “effective and reasonable participation at all levels of social, political, and economic decision-making” and mandates “the establishment of adequate consultation mechanisms.”<sup>51</sup>

The Asian Development Bank (ADB) noted that “civil society organizations (CSOs) in the Philippines engage in a broad range of activities, the most common being in (i) education, training, and human resource development; (ii) community development; (iii) enterprise development and employment generation; (iv) health and nutrition; (v) law, advocacy, and politics; and (vi) sustainable development.”<sup>52</sup> To highlight how influential CSOs are, the ADB mentioned their “major roles in achieving Filipino independence from the Spanish and the Americans, in toppling the Marcos regime, and in ending the administration of President Joseph Estrada.”

The ADB emphasized that “the government has always maintained some openness to civil society. However, the democratic space for CSOs has been expanded or constricted through the years depending on the inclinations of those in power (both elected and appointed leaders and bureaucrats), the general political conditions, and the positioning of CSOs with the incumbent political leaders, among other factors.”<sup>53</sup>

48 Lydia Cocom and James Savage, “What is Civic Space?”, The Fund for Global Human Rights, July 26, 2021, <https://globalhumanrights.org/commentary/fund-101-what-is-civic-space/>

49 *Id.*

50 PHILIPPINE CONSTITUTION, Article III, Section 4.

51 PHILIPPINE CONSTITUTION, Article XIII, Section 16.

52 Asian Development Bank, “Civil Society Briefs: Philippines,” February 2013. <https://www.adb.org/sites/default/files/publication/30174/csb-phi.pdf>

53 *Id.*

## A. Civic Space Before the ‘War on Drugs’

Although there are groups that have been engaging the government regarding the drug problem in the country, particularly on harm reduction, such as NoBox Philippines, CSO participation in drug policymaking was pretty much undocumented before Duterte’s “war on drugs”. Prior to the “war on drugs”, there were neither attacks nor vilification of groups working on drug policy issues. Generally, the shrinking of civic space amid attacks or vilification of human rights advocates and groups, has been connected to the government’s counterinsurgency campaign.<sup>54</sup>

But Duterte’s “war on drugs” raised barriers to the expansion or even the maintenance of civic space. One barrier is official bullying. Ideally, the approach of the Dangerous Drugs Act of 2002 involved an unrelenting campaign, an integrated system, a balance in the national drug control program addressing the legitimate medical needs of drug users, and working towards their reintegration into society. However, immediately upon the assumption of the Duterte Administration, when the heavy-handed Tokhang approach was employed, those who dared question the policy set down by the president faced dire consequences.

For instance, Duterte fired the chairperson of the DDB when the latter said that his agency’s estimate of the number of drug users in the country was only 1.8 million, much lower than the 3 million figure often cited by the President to justify his “war on drugs”.<sup>55</sup> The same fate happened to his successor when he voiced out in media that the mega drug rehabilitation facility in Tarlac being bannered by Duterte as an accomplishment, was actually ineffective, a mistake.<sup>56</sup>

Rather than basing his statements, figures and decisions on empirical data coming from the specialized government agencies, the President forced the agencies to follow and support what he said, even if his perception and data were questionable.

Another is Duterte’s skill in sizing up public opinion and his flexibility to adjust. There were two significant events that reshaped Duterte’s “war on drugs” in response to public opinion that shook his presidency. The first was in March 2017 when *Tokhang* was suspended for two months after rogue police officers used Oplan *Tokhang* to kidnap and kill Korean entrepreneur Jee Ick-joo. The crime happened right inside the National Headquarters of the Philippine National Police.<sup>57</sup>

**Immediately upon the assumption of the Duterte Administration, when the heavy-handed Tokhang approach was employed, those who dared question the policy set down by the president faced dire consequences.**

54 Center for International Human Rights, John Jay College of Criminal Justice, University of New York, “The Closing of Civic Space in the Philippines: Submission to the OHCHR for HRC Report 41/2.” [http://www.jjay.cuny.edu/sites/default/files/News/cihr\\_report\\_to\\_ohchr\\_on\\_the\\_philippines.pdf](http://www.jjay.cuny.edu/sites/default/files/News/cihr_report_to_ohchr_on_the_philippines.pdf)

55 Jodesz Gavillan, “Duterte ‘Fires’ DDB Chair: You Do Not Contradict Your Own Gov’t.” *Rappler*, May 24, 2017, <https://www.rappler.com/nation/170839-duterte-fires-ddb-benjamin-reyes-contradict-government/>

56 Pia Ranada, “DDB Chief Dionisio Santiago Asked to Resign.” *Rappler*, November 7, 2017, <https://www.rappler.com/nation/187586-ddb-chief-dionisio-santiago-resignation/>

57 Lara Tan, “PNP Relaunches ‘less Bloody’ Oplan Tokhang.” *CNN Philippines*, March 7, 2017, <https://www.cnnphilippines.com/news/2017/03/06/Oplan-Tokhang-Part-2-war-on-drugs-PNP.html>

The second incident that negatively affected the “war on drugs” was the killing of a minor, 17-year-old Kian delos Santos, in August 2017 by police officers in Kalookan City in Metropolitan Manila. Despite self-serving claims by the police that Kian was a drug mule who shot it out with them, closed-circuit television footage revealed that Kian was escorted and shot to death by two police officers. The damning evidence led to the first and only conviction, thus far, related to the “war on drugs.”<sup>58</sup>

After the killing of Kian, an independent survey showed a decline in Duterte’s satisfaction ratings. This led to the transfer of the government’s anti-drug operations from the PNP to the Philippine Drug Enforcement Agency (PDEA), at least publicly.<sup>59</sup>

But despite Duterte’s popularity with the public and his control of the government, many civil society groups struggled to push back. Among these are groups advocating for more humane drug policies, and human rights groups working on a vast array of civil and political rights, such as the iDefend Movement (In Defense of Dignity and Human Rights)<sup>60</sup>, the Philippine Alliance of Human Rights Advocates<sup>61</sup>, KARAPATAN<sup>62</sup>, and the movement Rise Up for Life and For Rights<sup>63</sup>, among others. These groups have actively campaigned against impunity and for justice for all the victims of the “war on drugs”.

## VIII. The Shrinking of Civic Space: Threats and Challenges

“If I become president, there’s no such thing as bloodless cleansing.”<sup>64</sup> Duterte said during his campaign for the presidency. He added that he would not hesitate to use “all forces of the government” in his “all-out war” against drugs.<sup>65</sup>

Despite earning the ire of human rights defenders for the violent and bloody fulfillment of his campaign promise, Duterte maintained his popularity with the masses. His approach posed layers of problems for human rights advocates that resulted in the shrinking of civic space. Some of these were more direct, such as the government-orchestrated violence and attacks against justice actors and human rights defenders. Others are challenges in public perception and penal populism, as well as gaps in policy and access to justice mechanisms.

But at the core of these is the shrinking of civic space in the context of the “war on drugs” which was characterized by initiatives meant to incite fear and shame, to effectively dissuade groups and individuals from engaging and exercising their rights, as discussed below.

58 CNN Philippines Staff, “What We Know so Far about Kian’s Death.” *CNN Philippines*, August 24, 2017. <https://www.cnnphilippines.com/news/2017/08/24/timeline-kian-delos-santos-death.html>

59 Frances Mangosing, “PNP Officially Terminates Oplan Tokhang.” *Inquirer.Net*, October 12, 2017. <https://newsinfo.inquirer.net/937482/pnp-officially-terminates-oplan-tokhang-pnp-oplan-tokhang-pdea>

60 <https://www.idefend.ph>

61 <https://philippinehumanrights.org/about/>

62 <https://www.karapatan.org>

63 <https://www.facebook.com/RiseUpForLifeAndRights/>

64 Tricia Terada, “Five Vows, Five Years Later: A Lookback into Duterte’s Major Campaign Promises.” *CNN Philippines*, July 22, 2021. <https://www.cnnphilippines.com/news/2021/7/22/SONA-2021-Duterte-presidential-campaign-promises.html>

65 Ariel Paolo Tejada, “Duterte Vows to End Criminality in 3 Months.” *The Philippine Star*, February 20, 2016. <https://www.philstar.com/headlines/2016/02/20/1555349/duterte-vows-end-criminality-3-months>



## A. Human Rights Defenders and Justice Actors

Even during his time as the long-term mayor of Davao City, the human rights community was critical of Duterte's "war on drugs". His drug war and the infamous "Davao Death Squad" were the subject of numerous national and international calls for investigation, even before he was elected president of the Philippines. When the drug war became a matter of national policy, the human rights community was vocal in its opposition and came together to help its victims obtain justice, both in the domestic and international fora, particularly the families of those who were killed.

The President lost no time sending the message that if they stand in the way of his "war on drugs", human rights activists would be killed together with the drug addicts.<sup>66</sup> In a speech, he blasted the human rights community's condemnation of the drug war saying, "Human rights defenders said I ordered the killings so I told them, 'Okay, let's stop and let [drug users] multiply so when it's harvest time, there will be more deaths. I will include you because you let them multiply'."<sup>67</sup> In another speech, he instructed the PNP to "shoot those who are part of [drug activity]. If they [members of human rights organizations] are obstructing justice, you shoot them."<sup>68</sup>

Since the "war on drugs" began, human rights defenders have reported a surge of attacks, extrajudicial killings, surveillance, defamation campaigns, and unfounded terrorist accusations against them. In particular, human rights defenders who have exposed the killings resulting from the Duterte administration's "war on drugs" have been accused of working against the interests of the country.<sup>69</sup>

Since the "war on drugs" began, human rights defenders have reported a surge of attacks, extrajudicial killings, surveillance, defamation campaigns, and unfounded terrorist accusations against them.

66 *Human Rights Watch*, "Philippines: Duterte Threatens Human Rights Community," August 17, 2017. <https://www.hrw.org/news/2017/08/18/philippines-duterte-threatens-human-rights-community>.

67 Jodesz Gavilan, "CHR in 2016: 'We Are Not Enemies of the Fight against Drugs.'" *Rappler*, December 3, 2016. <https://www.rappler.com/newsbreak/in-depth/154217-2016-chr-human-rights-duterte-drugs-war/>.

68 *Human Rights Watch*, "Philippines: Duterte Threatens Human Rights Community," August 17, 2017. <https://www.hrw.org/news/2017/08/18/philippines-duterte-threatens-human-rights-community>.

69 The Observatory for the Protection of Human Rights Defenders, "'I'll Kill You Along with Drug Addicts' President Duterte's War on Human Rights Defenders in the Philippines." [https://www.omct.org/files/2019/02/25257/philippines\\_hrd\\_report\\_2019.pdf](https://www.omct.org/files/2019/02/25257/philippines_hrd_report_2019.pdf)

The Observatory for the Protection of Human Rights Defenders, in documenting and assessing the massive deterioration of the situation of human rights defenders under the Duterte administration, stated in a report that numerous CSOs reported “increased surveillance, intimidation, threats, and harassment from local authorities”.<sup>70</sup> There was also a proliferation of suspected fake accounts or bots on social media, which were used to send death threats and other malicious messages to them. Moreover, “At least five members of iDEFEND reported they had been listed as ‘persons of interest’ on PNP and AFP watch lists. Social workers assisting drug war victims’ families were warned by police against intervening in cases where people have been killed in the “war on drugs”. Several NGOs reported decreased cooperation from various government departments while trying to access information and public records on the “war on drugs”.<sup>71</sup>

## B. Church Groups

Among the drug war’s most vocal critics are the Catholic Church and related faith-based organizations. It is no secret that the Church has operated a network that hides the targets and aids widows and orphaned children, serving as a refuge for victims of *Tokhang* and their families.<sup>72</sup> This invited a number of tirades from President Duterte, who made remarks such as, “Who is this stupid God?”<sup>73</sup> and calling bishops “sons of bitches”, “homosexuals”<sup>74</sup>, and “useless fools”. He even called on the community to “kill them”.<sup>75</sup>

At the height of the drug war, several pastoral letters issued by the Catholic Bishops’ Conference of the Philippines (CBCP) labeling the anti-drug crusade a “reign of terror” were read during Sunday Mass.<sup>76</sup> President Duterte responded to this by addressing the Catholic community, saying: “You Catholics, if you believe in your priests and bishops, you stay with them. If you want to go to heaven, then go to them. Now, if you want to end drugs ... I will go to hell, come join me.”

Church leaders were included by the President in his so-called “narco-list” which identified high level personalities allegedly involved in the drug trade. In one speech, President Duterte explicitly addressed Bishop Pablo Virgilio David of Kalookan, a consistent drug war critic, saying: “I am puzzled why you always go out at night. I suspect, son of a b\*\*\*\*, you are into illegal drugs”. The allegation came with a threat: “Bishop, ask someone to buy drugs for you. I will decapitate you.”<sup>77</sup>

70 Rappler, ‘Demonizing’ human rights in the first year of Duterte, Rappler Website, June 26, 2017. <https://www.rappler.com/newsbreak/in-depth/171558-demonizing-human-rights-rodrigo-duterte-first-year/>

71 Supra note 69.

72 Poppy McPherson, “‘Open the Doors’: The Catholic Churches Hiding Targets of Duterte’s Drug War.” *The Guardian*, February 28, 2017. <https://www.theguardian.com/world/2017/feb/28/catholic-churches-hiding-targets-of-dutertes-drug-war>

73 Dan Manglinong, “Duterte Has Been Seen Praying and Kneeling. But He Calls God ‘Stupid.’” *Interaksyon*, June 25, 2018. <https://interaksyon.philstar.com/breaking-news/2018/06/25/129336/duterte-complicated-relationship-with-god-catholic-church/>

74 Reuters Staff, “Philippine President Renews Attack on Catholic Church,” *Reuters*, January 10, 2019. <https://www.reuters.com/article/us-philippines-duterte-church-idUSKCN1P41JH>

75 Ted Regencia, “Philippines’ Duterte: ‘Kill Those Useless Bishops.’” *Aljazeera*. December 5, 2018, <https://www.aljazeera.com/news/2018/12/5/philippines-duterte-kill-those-useless-bishops>

76 Supra note 72.

77 Dan Manglinong, “Duterte Trading Barbs with Bishop Months after Repairing Ties with Church,” *Interaksyon*, November 27, 2018, <https://interaksyon.philstar.com/politics-issues/2018/11/27/139168/church-and-state-duterte-trading-barbs-with-bishop-months-after-repairing-ties-with-church/>

Accompanying these attacks by the President, was a series of death threats against church leaders who are vocal critics of the drug war. Though not proven to be directly linked to the drug war, there have been three documented killings of priests. That two out of the three killings were committed right at the altar shows how strong the culture of impunity is.<sup>78</sup> The killings got the attention of the Senate as Senator Risa Hontiveros filed a resolution urging the Senate Committee on Public Order and Dangerous Drugs to conduct an investigation of the attacks that “came on the heels of continued verbal attacks by President Rodrigo Duterte on the Catholic Church and its religious leaders.” Senator Hontiveros added: “These verbal attacks as well [as] the dismissive attitude towards the killings may result in even more priest-murders and other acts of violence against members of religious communities.”

Hontiveros added, “Given this current political climate, these killings further reinforce the culture of impunity to silence valid Church-led criticisms on state policies, particularly those with respect to human rights and due process.”<sup>79</sup>

### C. Lawyers and Judges

President Duterte also issued threats addressed to lawyers whom he accused of employing circuitous judicial processes to enable their clients to continue their involvement in the drug trade. He ended his statement with a warning that, “Even their lawyers, I will include them.”<sup>80</sup>

As of March 2021, the number of lawyers killed under any presidential administration had reached a record high – with 61 lawyers down five years into Duterte’s term.<sup>81</sup> The National Union of People’s Lawyers (NUPL) states that of the 61 incidents, 54 were work-related; the victims of the attacks were either defense lawyers who handled drug cases or were involved in human rights and public interest lawyering.<sup>82</sup> NUPL further said, “These attacks produce a chilling effect which affects the performance of their sworn duties to the courts, their clients, their colleagues and the society. Filipino lawyers, right now, fear that they might be the next victims of these attacks.”<sup>83</sup>

Judges were not spared inclusion in Duterte’s narco-list, where he named more than 150 officials from the judiciary, police, and local governments allegedly involved in the drug trade. Upon checking, it was found that the list included a judge who has been dead for almost ten years, a judge who was dishonorably discharged in 2007, a judge who has already retired, and judges who have no jurisdiction over drug cases.<sup>84</sup> The initial narco-list released in 2016 was followed by another list in 2019 that allegedly involved 13 other judges.<sup>85</sup>

78 Rappler.com, “Suspect in Killing of Father Richmond Nilo Arrested in Quirino.” *Rappler*, October 6, 2018, <https://www.rappler.com/nation/213678-suspect-bernie-limpio-arrested-richmond-nilo-murder/>

79 Camille Elemia, “Senate to Investigate Killings of Priests,” *Rappler*, June 13, 2018, <https://www.rappler.com/nation/204821-senate-investigate-killings-filipino-priests/>

80 Marlon Ramos, “Duterte Warns Drug Lords’ Lawyers,” *Inquirer.net*, October 13, 2017, <https://newsinfo.inquirer.net/852028/duterte-warns-drug-lords-lawyers>

81 Carlos Conde, “Record High Killing of Philippine Lawyers.” *Human Rights Watch*, March 15, 2021, <https://www.hrw.org/news/2021/03/15/record-high-killing-philippine-lawyers>

82 Mike Navallo, “UN Rapporteur Urged to Probe Attacks on Philippine Lawyers.” *ABS-CBN News*, March 15, 2021, <https://news.abs-cbn.com/news/03/15/21/un-rapporteur-urged-to-probe-attacks-on-philippine-lawyers>

83 *Id.*

84 Rappler.com, “The Duterte List: Judges, Mayors, Police Officials Linked to Drugs.” *Rappler*, August 7, 2016, <https://www.rappler.com/nation/142210-duterte-list-lgu-police-officials-linked-drugs/>

85 Jerald Ulep, “13 ‘Narco-Judges,’ Nais Imbestigahan Ng Supreme Court.” *Bombo Radyo Philippines*, April 1, 2019, <https://www.bomboradyo.com/13-narco-judges-nais-imbestigahan-ng-supreme-court>

The inclusion of judges in the narco-list triggered a reaction from then Chief Justice Maria Lourdes Sereno, who wrote a letter to the President reminding him that the Supreme Court is the sole entity tasked to discipline judges. She lamented that the President's public announcement could jeopardize court proceedings and the safety of the entire judiciary. She wrote: "Moreover, because of the extrajudicial killings, which you had spoken out against, perpetrated by persons and groups that remain unidentified, our judges may have been rendered vulnerable and veritable targets for any of those persons and groups who may consider judges as acceptable collateral damage in the 'war on drugs'."<sup>86</sup>

In response, the President unleashed a series of attacks against the Chief Justice, calling her "ignorant", "dumb", and a "coward". She was eventually removed from the Supreme Court by her colleagues through a *quo warranto* action. United Nations Special Rapporteur on the Independence of Judges and Lawyers Diego García-Sayán observed, "The unprecedented decision of the Supreme Court of the Philippines seems directly related to the threats made against the Chief Justice in relation to her professional activities in defense of the independence of the judiciary."<sup>87</sup>

## D. Lawmakers and the Political Opposition

President Duterte also launched his attacks against members of the political opposition who are critical of the drug war. The one who has borne the brunt of his ire is former Senator Leila de Lima, a long-time critic of President Duterte, who investigated the drug-related killings in Davao when Duterte was Mayor, in her capacity as the Chairperson of the Commission on Human Rights.<sup>88</sup> An incumbent Senator, she has been detained on unsubstantiated drug charges since 2017. The attacks against Senator de Lima began after she filed a resolution in the Senate on July 13, 2016, to investigate the "rampant extrajudicial killings and summary executions of suspected criminals."<sup>89</sup> In August 2016, as Chair of the Senate Committee on Justice and Human Rights, de Lima convened hearings on the killings of hundreds of victims that were carried out in Davao City as part of then Mayor Duterte's "war on drugs."<sup>90</sup> Making no secret of his personal vendetta against de Lima, President Duterte pledged to "destroy her in public."<sup>91</sup>

Also at the receiving end of Duterte's attacks were Senator Risa Hontiveros, former Senator Antonio Trillanes, and former Vice President Leni Robredo. In 2019, the three were charged with the crimes of Sedition, Inciting to Sedition, Cyberlibel, Libel, Estafa, Harboring a Criminal, and Obstruction of Justice, together with activist lawyers, private citizens, and members of the clergy.<sup>92</sup>

86 Rappler.com, "FULL TEXT: Sereno's Letter to President Duterte," *Rappler*, August 8, 2016, <https://www.rappler.com/nation/142329-full-text-sereno-letter-duterte-judges/>

87 Judicial Independence in Philippines Is under Threat, Says UN Human Rights Expert," OHCHR, Accessed February 1, 2023, <https://www.ohchr.org/en/press-releases/2018/06/judicial-independence-philippines-under-threat-says-un-human-rights-expert>

88 Carolyn O. Arguillas, "De Lima: CHR Will Prove There Is a Davao Death Squad," *MindaNews*, April 17, 2009, <https://www.mindanews.com/c166-the-davao-killings/2009/04/de-lima-chr-will-prove-there-is-a-davao-death-squad/>

89 Diane Louys, *I'll Kill You Along with Drug Addicts: President Duterte's War on Human Rights Defenders in the Philippines* (Observatory for the Protection of Human Rights Defenders, 2019), [https://www.omct.org/files/2019/02/25257/philippines\\_hrd\\_report\\_2019.pdf](https://www.omct.org/files/2019/02/25257/philippines_hrd_report_2019.pdf)

90 Bea Cupin, "Dela Rosa to Senate: We Are Not Butchers," *Rappler* August 23, 2016, <https://www.rappler.com/nation/143942-pnp-ronald-dela-rosa-illegal-drugs-butchers/>

91 Trisha Macas, "Duterte to a Critic: 'I Will Destroy Her,'" *GMA News Online*, August 12, 2016 <https://www.gmanetwork.com/news/topstories/nation/577315/duterte-to-a-critic-i-will-destroy-her/story/>

92 Glee Jalea, "Robredo, Opposition Members Cleared, Trillanes Charged with Sedition," *CNN Philippines*, February 10, 2020, [https://www.cnnphilippines.com/news/2020/2/10/trillanes-robredo-sedition.html?fbclid=IwAR0QHgdjAiNQMmA4wWRsExbsiJsYW0F6RmtOLdJhN9PgCH-VmzEzRjHH\\_w](https://www.cnnphilippines.com/news/2020/2/10/trillanes-robredo-sedition.html?fbclid=IwAR0QHgdjAiNQMmA4wWRsExbsiJsYW0F6RmtOLdJhN9PgCH-VmzEzRjHH_w)



It is worth mentioning that in response to Vice President Robredo's public statements critical of the "war on drugs", Duterte appointed her as co-chair of the Inter-agency Committee on Anti-Illegal Drugs (ICAD), only to remove her less than three weeks later, when she proved to be too focused and conscientious on the job.<sup>93</sup>

## E. Commission on Human Rights (CHR)

After his second State of the Nation Address, President Duterte declared that he wanted the CHR, a constant and persistent critic of the drug war, abolished for "obstructing justice." The Congress immediately heeded his call and gave the CHR an unrealistic budget of Php 1,000 (less than 20 USD) for the year 2018.

As the CHR probed deeper into the drug war, its attempts to conduct investigations were blocked by government agencies that refused to give the agency access to crucial documents.<sup>94</sup> CHR Commissioners reported difficulty in obtaining detailed documentation from the PNP of cases where victims were killed in connection with the "war on drugs".<sup>95</sup> At one point, the PNP agreed to provide the CHR with case files of deaths involving police operations as part of the "war on drugs", but this was taken back when Duterte declared that "all investigations to be conducted on police and military actually pertaining to human rights violation[s]" had to be cleared with him.<sup>96</sup>

Attempts to discredit the CHR included making personal attacks against its Chair, the late Jose Luis Martin 'Chito' Gascon, publicly calling him an "idiot" and a "fair-skinned fool."<sup>97</sup> In another instance, Duterte asked Gascon if he was "gay" or "a pedophile" after the CHR voiced concern over the alleged killing by police of teenagers in the "war on drugs".<sup>98</sup> Members of the CHR also reported receiving harassment and threats online from the public, accusing them of being protectors of criminals, and for allegedly not taking action on human rights violations of past administrations.<sup>99</sup>

## F. Media.

Two major media – *Rappler*, the on-line news outlet, and the *ABS-CBN* radio and television network – faced dire consequences for their critical reporting on the drug war. *Rappler* was charged in a string of cases<sup>100</sup> – one filed by the Solicitor General before the Securities and Exchange Commission that led to the revocation of its certificate of incorporation, which is still being legally contested by *Rappler*;<sup>101</sup> a criminal case for tax evasion against *Rappler* founder, the Nobel peace laureate Maria Ressa, that she recently won when she was acquitted by the Court of Tax Appeals;<sup>102</sup> and a cyber libel suit filed against Ressa that led to her conviction, and is currently on appeal before the Supreme Court.<sup>103</sup>

93 Ina Andolong and Xave Gregorio, "Duterte Fires Robredo from Anti-Drug Czar Post," *CNN Philippines*, November 24, 2019, <https://www.cnnphilippines.com/news/2019/11/24/Rodrigo-Duterte-Leni-Robredo-fired-ICAD.html>

94 *Supra note 89*.

95 Jodesz Gavilan, "CHR in 2016: 'We Are Not Enemies of the Fight against Drugs,'" *Rappler*, December 3, 2016, <https://www.rappler.com/newsbreak/in-depth/154217-2016-chr-human-rights-duterte-drugs-war/>; Jodesz Gavilan, "'Puro Dribble': CHR Hits PNP for Not Cooperating in Drug War Probes," *Rappler*, August 24, 2017, <https://www.rappler.com/nation/179928-chr-hits-pnp-failure-cooperate-probes-drug-war-killings/>

96 Rambo Talabong, "Duterte Ordered Police Not to Share Files with CHR – DILG," *Rappler*, September 8, 2017, <https://www.rappler.com/nation/181519-duterte-order-pnp-chr-refuse-share-case-folders/>

97 *Supra note 89 citing* Karlos Manlupig and Tarra Quismundo, "Duterte Calls CHR Chair Idiot," *Inquirer.net*, May 27, 2016, <https://newsinfo.inquirer.net/787771/duterte-calls-chr-chair-idiot>; *The Philippine Star*, "Duterte Slams CHR Chief: Are You a Pedophile?" *The Philippine Star*, September 16, 2017, <https://www.philstar.com/headlines/2017/09/16/1739962/duterte-slams-chr-chief-are-you-pedophile>; Pia Ranada, "Duterte Warns He'll Order Shooting of Human Rights Advocates," *Rappler*, August 16, 2017, <https://www.rappler.com/nation/178968-duterte-probe-shoot-human-rights-advocates/>

98 *Supra note 89*.

99 *The Philippine Star*. "Duterte Slams CHR Chief: Are You a Pedophile?" *The Philippine Star*, September 16, 2017, <https://www.philstar.com/headlines/2017/09/16/1739962/duterte-slams-chr-chief-are-you-pedophile>

100 Carlos Conde, "[OPINION] A New Weapon against Press Freedom in the Philippines," *Rappler*, December 6, 2018, <https://www.rappler.com/voices/thought-leaders/218315-court-cases-new-weapon-against-press-freedom-philippines/>

101 CNN Philippines Staff, "TIMELINE: Rappler-SEC Case," *CNN Philippines*, June 30, 2022, <https://www.cnnphilippines.com/news/2022/6/30/Rappler-SEC-case-timeline.html>

102 Heather Chen, Kathleen Magramo, and Angus Watson, "Nobel Laureate Maria Ressa Cleared by Philippine Court of Tax Evasion," *CNN*, January 18, 2023, <https://www.cnn.com/2023/01/17/asia/maria-ressa-court-verdict-acquittal-intl-hnk/index.html>

103 *Id.*

ABS-CBN, on the other hand, was denied the renewal of its congressional franchise when it expired during the incumbency of the Duterte administration. Various unfounded issues were hurled against the network to justify the denial of the franchise – from alleged tax evasion to alleged violations of labor laws.<sup>104</sup>

As the Human Rights Watch researcher in the Philippines put it, “[W]hat’s being done to *Rappler* reflects the Duterte administration’s wider confrontational attitude toward the media. Through social media, the President’s office has unleashed its attack dogs on news organizations and journalists who report critically on the drug war.”<sup>105</sup>

## G. Public Perception

Some sectors perceived the “war on drugs” as one backed by “popular justice”, which meant that the support for EJKs was a “form of communal self defense” when the legal system was perceived as being too slow, ineffective, and dysfunctional in addressing crimes. The political rhetoric generated by President Duterte in his speeches and other communications using exaggerated stories and threats to kill, evoked public rage to act on this perceived threat. This “moral panic” made more acceptable, even desirable, the framing of the “heroic saga” of the “war on drugs”.<sup>106</sup>

To illustrate, President Duterte said in one of his speeches: “*Kaya ang sakit talaga ng loob ko na makita ko ang sakripisyo nila, binababoy nitong durugista. If you know better, huwag ka talagang magkumpiyansa diyan sa human rights na iyan, kay pati iyan sabayin ko kayo putulan ng ulo. Hindi ako madala ng ganoong takot. Ikulong mo ako eh di ikulong mo ako.*” (“That’s why I feel bad when I see that the sacrifices of the people are simply disregarded by these drug addicts. If you know any better, you will not depend too much on human rights, because if you do, I will behead you. I do not fear them. If you will jail me, then jail me.”)<sup>107</sup>

This illustrates Duterte’s use of a *justification strategy*, which claims that an alleged instance of illegitimate state killing was actually legitimate and within acceptable norms, and that is, to preserve the peace and the Filipino family.

Another strategy he used is *othering*, which identifies persons who use drugs as “non-human” in order to fuel and make palatable his violent policies. In a public address, Duterte rhetorically questioned the humanity of drug users: “Are they human? What is your definition of a human being? Tell me.”<sup>108</sup>

In effect, people see persons who use drugs as non-human, assuming that criminality has taken away their humanity, and it also puts in a negative light those who see drug users as human, regardless of their criminal activities and behavior. This *othering* strategy creates an illusion of us-versus-them, and regards persons who use drugs and those who care for them as excluded from humanity.<sup>109</sup>

104 Eimor Santos, “House Panel Denies ABS-CBN’s Bid for Fresh Franchise,” *CNN Philippines*, July 10, 2020, <https://www.cnnphilippines.com/news/2020/7/10/abs-cbn-franchise-denied-.html>

105 Carlos Conde, “[OPINION] A New Weapon against Press Freedom in the Philippines,” *Rappler*, December 6, 2018, <https://www.rappler.com/voices/thought-leaders/218315-court-cases-new-weapon-against-press-freedom-philippines/>

106 Jon Fernquest, “State Killing, Denial, and Cycles of Violence in the Philippines,” *Philippine Sociological Review* 66: 5–34, <https://www.jstor.org/stable/26905842>

107 Trisha Macas, “Duterte Threatens to Behead Human Rights Advocates,” *GMA News Online*, May 18, 2017, <https://www.gmanetwork.com/news/topstories/nation/611343/duterte-threatens-to-behead-human-rights-advocates/story/>

108 Delfo C. Canceran, “‘We are Humans’: Counternarratives of Drug Users in a Philippine Rehabilitation Facility,” *Philippine Sociological Review* 66: 91–110, <https://www.jstor.org/stable/26905845>

109 *Id.*

By defining persons who use drugs (PWUD) as non-human, Duterte employed a strategy which allowed greater acceptance of the denial of their human rights, and the increasing complacency/acceptance of the public when police authorities “neutralized” them.

The Duterte administration intentionally demonized human rights defenders to the public which led to a distortion of human rights and the public image of its advocates. On August 16, 2017, Duterte alleged that human rights organizations criticized the “war on drugs” to protect drug criminals saying, “When it comes to criminals, you [human rights organizations] will proclaim, ‘human rights violations’ [to protect them].”<sup>110</sup> The government went even a step further, tagging human rights groups as drug coddlers. Then Presidential Spokesperson Harry Roque stated that the government did not discount the possibility that some human rights groups had become “unwitting tools of drug lords to hinder the strides made by the administration.” The statement was issued after then-Foreign Affairs Secretary Alan Peter Cayetano claimed that some human rights groups were being “unwittingly used by drug lords” to destabilize the government and discredit its “war on drugs”.<sup>111</sup>

Even the CHR was not spared from being demonized for criticizing the drug war and invoking the rights of persons who use drugs. The attacks against the Commission sought to diminish its credibility, undermine public trust in the body, and threaten its ability to fulfil its mandate. The Duterte administration vilified the CHR for defending the rights of those killed in the drug war, alleging that it put more weight on the rights of the persons who use drugs over the rights of their actual victims.

Duterte alleged that “most of the time, the Commission on Human Rights defends criminals.” This started the trend on-line, “*Nasaan ang CHR?*” (Where is the CHR?) that questioned the Commission’s supposed inaction on other human rights issues. This was addressed by the CHR which reminded the public that its mandate is to ensure respect of human rights by the State, first and foremost. However, the damage had been done after the disinformation campaign against it went viral in social media.

In the meantime, the satisfaction rating on the anti-illegal drugs campaign of the Duterte Administration remained excellent.<sup>112</sup> There was a public perception that families were much safer because of it.<sup>113</sup> The slow justice system described earlier, further supported the idea that indeed the “war on drugs” was the right way to go. This also shrank the public space for critical dissent and dialogue over the “war on drugs”.

110 Pia Ranada, “Duterte Warns He’ll Order Shooting of Human Rights Advocates,” *Rappler*, August 16, 2017, <https://www.rappler.com/nation/178968-duterte-probe-shoot-human-rights-advocates/>

111 Nestor Corrales, “Palace Insists: Rights Groups ‘Unwitting Tools of Drug Lords,’” *Inquirer.net*, March 27, 2018, <https://newsinfo.inquirer.net/978431/palace-insists-rights-groups-unwitting-tools-of-drug-lords>

112 Social Weather Stations, “Second Quarter 2019 Social Weather Survey: Net Satisfaction with Anti-Illegal Drugs Campaign at ‘Excellent’ +70,” *Social Weather Stations*, September 22, 2019, <https://www.sws.org.ph/swsmain/artclisppage/?artcsyscode=ART-20190922154614>

113 Social Weather Stations, “Third Quarter 2019 Social Weather Survey: Families victimized by common crimes subside to 5.6%,” *Social Weather Stations*, October 30, 2019, <https://www.sws.org.ph/swsmain/artclisppage/?artcsyscode=ART-20191030164733>

## IX. The Effect of the ‘War on Drugs’ on Public Engagement

The atmosphere for dialogue has been damaged by the hate and intolerance that has dominated social media. Hateful and abusive statements from top level officials has trickled down to the masses, inciting rage and even violence against persons who use drugs and the organizations that care for them.

This environment of hate and intolerance is further enabled by the slow and dysfunctional justice system, the gaps in drug policies, and the narrowing avenues for public participation. As it stands, the policy emanating from the top, and the policy as applied in the streets, are grounded on the use of violence and humiliation, which incites fear and shame on those whose rights are trampled upon.

In summary, the shrinking of civic space due to the drug war has been brought about by: (i) fear of attacks against life and liberty; (ii) fear of social exclusion; (iii) shame caused by the stigma on a person who uses drugs or by association with them; (iv) the slow justice system; and (v) the inaccessibility of accountability mechanisms.

## X. Efforts to Maintain the Civic Space

Aside from the pushback and protests mounted by various human rights groups, the following tracks are being used to resist the shrinking of civic space:

### A. Access to Justice and Human Rights Compliance

The Philippines is currently engaged in a technical cooperation and capacity building program with the United Nations called the UN Joint Program on Human Rights (UNJP). This was brought about by UN Human Rights Council Resolution 45/33 “[c]ondemning all acts of intimidation and reprisal, both online and offline, by State and non-State actors against individuals and groups working to promote and protect human rights and those who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights.”<sup>114</sup> Through the UNJP, there are opportunities to engage in six focus areas: (i) Accountability; (ii) Improved data of human rights violations by the police; (iii) Strengthened engagement with international human rights mechanisms; (iv) Strengthened human rights capacity of civil society and broader human rights engagement on critical areas; (v) Human rights based approach to drug control; and (vi) Counter-terrorist legislation.

114 “A/HRC/51/58: Implementation of Human Rights Council Resolution 45/33 and on the Progress and Results of Technical Cooperation and Capacity Building for the Promotion and Protection of Human Rights in the Philippines,” OHCHR, September 13, 2022, <https://www.ohchr.org/en/documents/country-reports/ahrc5158-implementation-human-rights-council-resolution-4533-and-progress>



## B. UN Joint Program on Human Rights

Although the UNJP is only a three-year program, there are opportunities to open up spaces for engagement due to civil society membership in the Steering Committee and the different technical working groups.

## C. International Criminal Court

Another avenue to push back and press for accountability is the current situation in the Philippines that is being considered by the International Criminal Court. Currently, the Philippines is under investigation for crimes against humanity through murder “allegedly committed on the territory of the Philippines between 1 November 2011 and 16 March 2019 in the context of the Government of the Philippines’ ‘war on drugs’ campaign.”<sup>115</sup>

## D. Narrative Change

Alternative forms of resistance have also been taken to counter the negative narratives used by the Duterte administration. Groups such as RESBAK and Night Watch or Nightcrawlers have used their respective crafts to change the narratives and make the public more aware of the true effects of Duterte’s drug war.

## E. Harm reduction and public health

Continued engagement on harm reduction and public health is an avenue worth pursuing. If there is any indirect benefit that can be cited from Duterte’s “war on drugs”, there is now more heightened awareness of the health aspect of the drug problem. There are opportunities present to promote policies that go beyond incarceration and rehabilitation.

# XI. Reclaiming Civic Spaces

In the end, it is the attraction of populism and overwhelming state violence perpetrated in the name of public security, that perpetuates a weak and disempowered civil society base and shrinks civic space.

The pushback from civil society, limited as it is, has shown how civic space can be reclaimed through a multifaceted strategy that centers on humanity, health, and respect for human rights.

The pursuit of the following actions has worked to repel the forces of violence, and reclaim civic spaces, one step at a time.

**The pushback from civil society, limited as it is, has shown how civic space can be reclaimed through a multifaceted strategy that centers on humanity, health, and respect for human rights.**

115 “ICC Pre-Trial Chamber I Authorises Prosecutor to Resume Investigation in the Philippines,” International Criminal Court, January 26, 2023, <https://www.icc-cpi.int/news/icc-pre-trial-chamber-i-authorises-prosecutor-resume-investigation-philippines>

## **A. Humanize the victims by presenting their narratives**

With the thousands killed and the regularity of the killings in the name of the drug war, the public has, unwittingly, been numbed to the violence. Humanizing the victims stirs a feeling of connectedness among the public. The story of Kian as a minor and a student who pleaded for his life saying that he had an exam the next day<sup>116</sup> humanized him to the public and resulted in a public outcry that made President Duterte rethink his strategy for his drug war.

## **B. Use technology to aid in documentation of violations and for prosecution**

It helped that in the case of Kian, there was a closed-circuit television footage that was used by the media to make the public realize what actually happened. This same footage was used to help secure the conviction of the perpetrators. This highlights the need for improving technological capacity in the Philippines, including forensics capability, to successfully prosecute crimes, since vast numbers of prosecutions still rely merely on witness testimony.

## **C. Use the justice system**

There is a need to earnestly seek justice and use the justice system, domestically or internationally. Only through the use of accountability mechanisms can impunity for human rights violations be addressed.

## **D. Continued advocacy for good governance and local engagement**

It helped that in the case of Kian, the local government of Kalookan City was proactive in addressing the damage wreaked by Duterte's drug war. This highlights the importance of working towards good governance by public officials, and working with local government officials as part of the checks and balances to national policies that may be detrimental to human rights and civic spaces.

## **E. Creative communications**

Lastly, there must be efforts to counter populist approaches that abound in many social media platforms. These compete with and overwhelm legitimate and traditional media which follows strict ethical conduct in its reporting. As such, there must also be communication strategies employed to deliver legitimate and credible news to the public.

116 Edu Punay, "Kian Begged for His Life before Cops Shot Him," *The Philippine Star*, October 3, 2017, <https://www.philstar.com/headlines/2017/10/03/1745309/kian-begged-his-life-cops-shot-him>

## About Civic Futures

Civic Futures is a philanthropic initiative conceptualised and launched by the Funders Initiative for Civil Society (FICS) which acts as its secretariat and the Fund for Global Human Rights (FGHR) which is a founding member. Civic Futures exists to mobilize the funding community working across multiple issue areas to equip civil society to push back against the overreach of national security and counter-terrorism powers, increasingly used by governments around the world to harm civic space.

## Copyright

The authors, FICS, and FGHR welcome and encourage the use and dissemination of the material included in this publication as licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0): <https://creativecommons.org/licenses/by-nc-sa/4.0>

DOI: 10.5281/zenodo.7789243

[civalfutures@global-dialogue.org](mailto:civalfutures@global-dialogue.org)

[civalfutures.org](http://civalfutures.org)

