
Assisted by:

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*Communication and Complaint
Situation in the Philippines*

MS. FATOU BENSOUDA
Prosecutor
Office of the Prosecutor
The International Criminal Court
The Hague, The Netherlands

Perpetrator : **RODRIGO ROA DUTERTE**
President
Republic of the Philippines
Malacañan Palace, Manila
Philippines

Victims/Complainants

1. **Rise Up for Life and for Rights**, a network of church people, human rights advocates and the victims and families of the affected communities in the Philippines working in defense of life and protection of human rights particularly against drug-related killings
2. **Irma J. Locasia**, mother of Salvador J. Locasia, Jr. killed in a police operation on August 31, 2016
3. **Dennise B. David**, father of John Jezreel T. David killed in a police operation on January 20, 2017
4. **Maria C. B. Lozano**, sister of Crisanto and Juan Carlos B. Lozano both killed in a police operation on May 12, 2017
5. **Mariel F. Sabangan**, sister of Bernabe F. Sabangan killed alongside Arnold S. Vitales in a police operation on May 15, 2017
6. **Normita B. Lopez**, mother of Djastin B. Lopez killed in a police operation on May 18, 2017
7. **Purísima B. Dacumos**, wife of Danilo G. Dacumos killed in a police operation on August 3, 2017

Legal Representatives of the Victims : **The National Union of Peoples' Lawyers (NUPL)**
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CONCLUSION

46. A clear indication of what constitutes a crime against humanity is given by the International Tribunal for the former Yugoslavia in its decision on the Erdemovic case¹²⁸:

"Crimes against humanity are serious acts of violence which harm human beings by striking what is most essential to them: their life, liberty, physical welfare, health and/or dignity. They are inhumane acts that by their extent and gravity go beyond the limits tolerable to the international community, which must perforce demand their punishment. But crimes against humanity also transcend the individual because when the individual is assaulted, humanity comes under attack and is negated. It is therefore the concept of humanity as victim which essentially characterises crimes against humanity".

47. The extra-judicial killings, mass arrests, roving searches, and other inhumane acts in the Philippines under the auspices, order, command and policy of President Rodrigo Roa Duterte threaten the core principles of humanity itself, subsuming individual victim experiences, and even state borders. It is a critical issue for a much broader concept, closely linked to the Martens Clause: that of mankind, and the dictates of public conscience.¹²⁹

48. Complainants thus pray that the Office of the Prosecutor (OTP), after consideration of the facts and submissions to indict President Rodrigo Roa Duterte of the Philippines for crimes against humanity, as in accordance with the processes:

- a) That after preliminary examination, the OTP issue a report finding the charges to fall within the jurisdiction of the International Criminal Court;
- b) After due consideration, the OTP find reasonable basis to proceed with an investigation;
- c) That the OTP elevate its investigation into a situation, and thereat find President Duterte directly and personally responsible for crimes against humanity committed against the civilian populace of the Philippines;
- d) During its investigation receive, discover, and examine evidence of crimes against humanity in the Philippines;
- e) That the OTP consider complainants as victims-witnesses in these charges; and
- f) That upon the lodging of a formal complaint the Honorable Prosecutor request for the issuance of a warrant of arrest against Philippine President Rodrigo Roa Duterte.

49. It is also most respectfully prayed that the victims and complainants be awarded individual reparation for the death of their loved ones, and for moral harm, physical and psychological injuries that they suffered.

¹²⁸ ICTY, Erdemovic, TC, Sentencing and Judgment, Case No. IT-96-22, November 29, 1996, paras. 27-28.

¹²⁹ The Martens Clause, as codified by the Hague Convention No. IV of 1907, refers to "the principles of the law of nations, as they result from the usages established among civilised peoples, from the laws of humanity, and the dictates of public conscience", and confirmed by Article 1 of 1977 Additional Protocol I.

50. Collective reparations are also prayed for in the form of support for safe housing and sanctuary, support for income-generating activities, education aid and psychological support.

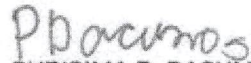
51. An interim support is also prayed for, *pendente lite*, to provide, when necessary, temporary sanctuary and relocation to the complainants and protection of witnesses, counsels and other concerned individuals to prevent any form of harassment or retribution from any affected party.


52. In fine, Complainants call for an end to the madness, and for President Duterte - who has likened himself to one of the most evil men in history:


"Noting that Hitler had murdered millions of Jews, Duterte said, "There are 3 million drug addicts (in the Philippines). I'd be happy to slaughter them. "If Germany had Hitler, the Philippines would have ..." pausing and pointing to himself."¹³⁰

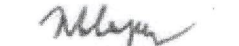
- to be brought before the International Criminal Court and held to account for Crimes Against Humanity.

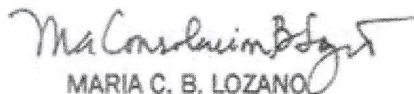
IN WITNESS WHEREOF, we have hereunto set our hand this August 27, 2018, in Quezon City, Philippines.



PURISIMA B. DACUMOS

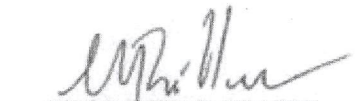

DENNISE B. DAVID


IRMA J. LOCASIA


NORMITA B. LOPEZ


MARIA C. B. LOZANO


MARIEL F. SABANGAN


FR. GILBERT S. BILLEÑA
Rise Up for Life and for Rights

¹³⁰ See: Karen Lema, Manuel Mogato, *Philippines' Duterte likens himself to Hitler, wants to kill millions of drug users*, Reuters, September 29, 2016, available at: <https://www.reuters.com/article/us-philippines-duterte-hitler/philippines-duterte-likens-himself-to-hitler-wants-to-kill-millions-of-drug-users-idUSKCN1200B9>. Video and full text of the speech available at: <http://newsinfo.inquirer.net/820809/full-text-there-are-3m-drug-addicts-id-be-happy-to-slaughter-them>. Last accessed on August 26, 2018.