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No.: **ICC-01/21-01/25**
Date: **20 October 2026**

TRIAL CHAMBER III

Before: **Judge Joanna Korner, Presiding Judge**
Judge Keebong Paek
Judge Nicolas Guillou

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF *THE PROSECUTOR v. RODRIGO ROA DUTERTE*

Public

Public Redacted Version of "Prosecution's Updated Trial Brief", 16 October 2026, ICC-01/21-01/25-522-Conf-AnxA

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I. INTRODUCTION

1. The Prosecution hereby submits its Trial Brief ("TB") as instructed by Trial Chamber III in its Directions on the conduct of proceedings.[1] The evidence outlined in this TB, together with evidence which will be adduced during trial, will prove beyond reasonable doubt that Rodrigo Roa DUTERTE ("**DUTERTE**") is criminally responsible for Counts 1 to 3.[2]

II. CONTEXT: THE PHILIPPINES

2. The Philippines is an archipelagic country in Southeast Asia in the western Pacific Ocean comprising 7,641 islands.[3] The country is traditionally divided into three main island groups: Luzon, the Visayas, and Mindanao.[4] These are further divided administratively into 18 regions, 82 provinces, 1,493 municipalities and 149 cities.[5] Municipalities and cities are subdivided into 42,010 *barangays*, the smallest administrative units in the Philippines,[6] which correspond broadly to villages, districts or neighbourhoods.[7] *Barangays* are often informally divided into smaller communities or subdivisions called *puroks*.[8] The Philippines has a population of over 110 million people.[9] Its national language is Filipino and official languages are Filipino and English.[10] Filipinos speak more than 175 living indigenous languages, including **DUTERTE**'s native Cebuano (colloquially "Bisaya").[11]

III. DUTERTE'S BACKGROUND

3. **DUTERTE** was born on 28 March 1945 in Maasin, Southern Leyte, the Philippines.[12] From 1949 onwards, he lived in Davao, where his father served as provincial governor (1959-1965) and national Secretary of the Department of General Services (1965-1968).[13] In 1972, **DUTERTE** graduated from San Beda College of Law and passed the bar examination.[14] From

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[1] Directions on the conduct of proceedings, 19 June 2026, paras. 13-14. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, this TB is filed as confidential as it contains sensitive information pertaining to the security of victims and witnesses. A public redacted version will be filed as soon as practicable.
[2] *See also* Confirmation Decision; Document Containing the Charges ("DCC").
[3] United Nations, PHL-OTP-0003-2939 at 0001; Philippines Statistics Authority, PHL-OTP-00250446 at 0001.
[4] United Nations, PHL-OTP-0003-2939 at 0001.
[5] Philippines Statistics Authority, PHL-OTP-00249598 at 0001.
[6] Philippine Republic Act No. 7160, 10 October 1991, Section 384, PHL-OTP-00000259 at 0143.
[7] Philippines Statistics Authority, PHL-OTP-00249598 at 0001.
[8] Amnesty International ("AI"), PHL-OTP-0005-1057 at 1075.
[9] Philippines Statistics Authority, PHL-OTP-00249595 at 0001, PHL-OTP-00249599, Tab 2: National Summary.
[10] Philippine 1987 Constitution, PHL-OTP-0005-2102 at 2161, Sections 6 and 7.
[11] [REDACTED], PHL-OTP-00002215 at 0139.
[12] Government of Philippines ("GoPHL"), PHL-OTP-00000269, PHL-OTP-00000388 at 0012-0013.
[13] GoPHL, PHL-OTP-00000269; [REDACTED], PHL-OTP-00002215 at 0040.
[14] GoPHL, PHL-OTP-00000269.

1977 to 1986, he was a prosecutor in the Davao City Prosecutor's Office.[15] During this time, **DUTERTE** also taught criminal law and procedure at the police academy in Davao City,[16] where he taught P-0002's police cohort to plant evidence on criminal suspects, describing it as a "necessary evil for the sake of the common good".[17]

4. In 1986, **DUTERTE** was appointed Officer-in-Charge and Vice Mayor of Davao City, before being elected Mayor in 1988.[18] **DUTERTE** served as Mayor for more than 20 years (1988-1998, 2001-2010 and 2013-2016). During the period 1 November 2011 to 16 March 2019 ("the charged period"), **DUTERTE** was:

- Vice Mayor of Davao City from 1 November 2011 to 30 June 2013 (while his daughter, Sara DUTERTE, was Mayor)[19] and Mayor of Davao City from 30 June 2013 to 30 June 2016 (together, the "Mayoral period"); and
- President of the Philippines from 30 June 2016 to 16 March 2019 (the "Presidential period").

5. **DUTERTE**'s aliases or nicknames include 'Superman', 'PRRD' (referring to the initials of "President Rodrigo Roa Duterte"), 'Charlie Mike' (the NATO phonetic alphabet rendering of the initials of 'City Mayor'), 'Digong' or 'Tatay Digong', and 'Mayor Rody'.[20]

IV. THE CHARGES

6. As set out below, **DUTERTE** is responsible for murder and attempted murder as crimes against humanity committed in the Republic of the Philippines ("Philippines") as follows:[21]

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[15] GoPHL, PHL-OTP-00000269; Presidential Communications Operations Office ("PCOO") Video of DUTERTE's Speech, 1 July 2016, PHL-OTP-00089101 (PCOO Transcript PHL-OTP-00000271; Translation PHL-OTP-00000558 at 0002-0003); P-0002, PHL-OTP-00015506-R01 at 0014-0017, lines 483-548, 587-615.
[16] PCOO, PHL-OTP-00089101 (Transcript PHL-OTP-00000271; Translation PHL-OTP-00000558 at 0002).
[17] P-0002, PHL-OTP-00015506-R01 at 0005-0006, lines 149-167. *See also* Video of DUTERTE on *Gikan sa Masa*, 23 February 2014, PHL-OTP-00100647 (Transcript PHL-OTP-00250299; Translation PHL-OTP-00248934 at 0002, lines 6-8).
[18] GoPHL, PHL-OTP-00000269; PCOO Video of DUTERTE's Speech, 12 December 2016, PHL-OTP-00089508 (PCOO Transcript PHL-OTP-00020766; Translation PHL-OTP-00091665 at 0002); [REDACTED], PHL-OTP-00002215 at 0166.
[19] GoPHL, PHL-OTP-00000269, PHL-OTP-00090430; Davao City Government, PHL-OTP-00001197; [REDACTED] at 2610, lines 136-145, 151-154; CNN, PHL-OTP-0003-0384 at 0385.
[20] *See e.g.* [REDACTED] at 2608-2609, lines 88-121; P-0002, PHL-OTP-00015515-R01 at 0013, lines 433-436, PHL-OTP-00015535-R01 at 0007, lines 203-204; [REDACTED], PHL-OTP-00002215 at 0054-0055; GoPHL, PHL-OTP-00015093 (Translation PHL-OTP-00015546 at 0021), PHL-OTP-00015250 at 0286-0287 (Translation PHL-OTP-00019308 at 0155); PCOO, PHL-OTP-00021494 at 0001.
[21] Incidents 50-57 are additional to the non-exhaustive list of incidents set out in the DCC and the Prosecution's Pre-Confirmation Brief and fall within the scope of the confirmed charges because they were perpetrated in a "time during which and an area where criminal acts were allegedly committed by an identifiable group of perpetrators against an identifiable group of victims": Confirmation Decision, para. 24. Specifically, Incidents 56 and

1. **Count 1**: murder of at least 19 victims alleged to be criminals, including three children, who were killed in or around Davao City in the Philippines, between 2013 and around June 2016, by members of the Davao Death Squad ("DDS"), while **DUTERTE** was the Mayor of Davao City, pursuant to article 7(1)(a) of the Rome Statute;[22]

2. **Count 2**: murder of at least 16 victims, labelled as "High-Value Targets" for their alleged criminality, who were killed in locations across the Philippines, between around July 2016 and August 2017, by a network of perpetrators comprising State actors and others, referred to as the National Network,[23] while **DUTERTE** was the President of the Philippines, pursuant to article 7(1)(a) of the Rome Statute;[24] and

3. **Count 3**: murder and attempted murder of at least 52 victims, comprising 50 murders and two attempted murders, of persons alleged to be criminals, including three children, who were targeted in *barangay* clearance operations in locations across the Philippines, between around July 2016 and September 2018, by members of the National Network, while **DUTERTE** was the President of the Philippines, pursuant to articles 7(1)(a) and 25(3)(f) (in respect of attempted murder) of the Rome Statute.[25]

V. DUTERTE'S INDIVIDUAL CRIMINAL RESPONSIBILITY

A. Background

7. When **DUTERTE** was appointed Mayor in 1988, he established "liquidation squads" composed of Davao City police officers and non-police hitmen, which came to be known as the Davao Death Squad ("DDS").[26] **DUTERTE** personally instructed DDS groups that their mission was to kill criminals.[27] [REDACTED], **DUTERTE** instructed the group that their "job"

[DELETED] were perpetrated by members of the National Network in locations across the Philippines between around July 2016 and July 2017 in high value target operations and thus fall within the scope of Count 2, while Incidents 50-55 were perpetrated by members of the National Network in locations across the Philippines between around July 2016 and September 2018 in *barangay* clearance operations and thus fall within the scope of Count 3.

[22] *See below* Incidents 1-9.

[23] A network of perpetrators comprising law enforcement officers, non-police assets and hitmen defined below at para. 63.

[24] *See below* Incidents 10-14, 56, [DELETED].

[25] *See below* Incidents 15-55.

[26] [REDACTED] at 9247, [REDACTED] at 0003, lines 10-14. *See also* [REDACTED] at 2591-2597, lines 495-559, 575-706; [REDACTED] at 0002-0012, lines 22-350, [REDACTED] at 0002-0006, lines 3-159; [REDACTED], PHL-OTP-00096041-R01 at 0012, lines 422-427.

[27] P-0002, PHL-OTP-00015501-R01 at 0002, lines 3-38; [REDACTED] at 0003, lines 43-56. *See also* [REDACTED] at 0004-0012, lines 73-464.

was "to kill the drug pushers, the snatchers and the hold-uppers".[28] **DUTERTE** christened this group by spraying its members with a bottle of wine and distributed guns from a basket to each of the hitmen.[29] Around the same time, **DUTERTE** "created" a "Death Squad" composed of P-0002 and seven other Davao City police, who he instructed "to kill suspected criminals", "including [s]habu users and pushers".[30] **DUTERTE** and P-0002's commanding police officer at the time, [REDACTED], explained to the police DDS members that they were tasking them as hitmen because it was not possible to "completely eliminate or reduce" criminality via "basic law enforcement", and so it was necessary to "kill" the criminals of Davao City.[31] The DDS operated in Davao City from 1988 onwards, including continuously through 2011 to 2016.[32]

8. The DDS expanded over time, growing from dozens of members to hundreds.[33] While the group was smaller, **DUTERTE** maintained closer proximity to the DDS hitmen: DDS [REDACTED], P-0002 [REDACTED] were all ordered directly by **DUTERTE** to kill specific targets, which they did.[34] DDS hitmen also witnessed **DUTERTE** himself killing alleged criminals.[35] In 2001, when **DUTERTE** again became Mayor after a three year period as a

[28] [REDACTED] at 0003, lines 37-55.
[29] [REDACTED] at 0009-0010, lines 260-295, [REDACTED] at 0007-0008, lines 186-220.
[30] P-0002, PHL-OTP-00015507-R02 at 0004-0005, lines 111-149.
[31] P-0002, PHL-OTP-00015507-R02 at 0005-0006, lines 153-163.
[32] [REDACTED] at 2558–2560, lines 289-374, [REDACTED] at 2591, lines 495-498, [REDACTED] at 0004-0013, lines 106-392; P-0002, PHL-OTP-0001-3619 at 3805-3807; [REDACTED] at 0005, 0006, 0013, paras. 27-28, 35, 72; [REDACTED] at 2558–2560, lines 289-374, [REDACTED] at 2591, lines 495-498, [REDACTED] at 0004-0013, lines 106-392; P-0002, PHL-OTP-0001-3619 at 3805-3807; [REDACTED] at 0005, 0006, 0013, paras. 27-28, 35, 72; [REDACTED] at 0003-0005, lines 64-131, [REDACTED] at 0006, lines 164-171, [REDACTED] at 0007, lines 182-194; [REDACTED], PHL-OTP-00096041-R01 at 0062, lines 2310-2316; [REDACTED], PHL-OTP-00100499-R01 at 0006, para. 23; Al Jazeera Video, PHL-OTP-00000357 (Transcript PHL-OTP-00001678; Translation PHL-OTP-00001681 at 0002, lines 2-8); ITV-CNN Video PHL-OTP-00000360 (Transcript PHL-OTP-00091705; Translation PHL-OTP-00091702 at 0002, lines 9-12); Human Rights Watch ("HRW"), PHL-OTP-0003-0886 at 0891-0895, 0919-0931; [REDACTED], PHL-OTP-00239291 at 0019, 0025-0037; GMA, PHL-OTP-00094992 (Transcript PHL-OTP-00237813; Translation PHL-OTP-00237901 at 0004-0005, lines 73-1116).
[33] [REDACTED] at 0001, 0006, 0008, 0010-0013, [REDACTED] at 0008-0012, lines 207-243, 277-374, [REDACTED] at 0002-0005, 0007-0011, lines 3-124, 181-336, [REDACTED] at 0006, 0009-0010, lines 154-164, 253-282, [REDACTED] at 0011, lines 304-333; [REDACTED] at 0007, line 182, [REDACTED] at 0010, line 283, [REDACTED] at 0006; P-0002, Organigram of the DDS, PHL-OTP-0001-3619 at 3624,3805, PHL-OTP-0001-3619 at 3619-3621, paras. 4, 9-9.2, PHL-OTP-0002-0039-R01 at 0040-0042. *See also* [REDACTED], PHL-OTP-00240652 at 0099.
[34] *See e.g.* [REDACTED] at 0011, lines 311-339, [REDACTED] at 0009-0011, lines 247-318, [REDACTED] at 0004-0012, lines 73-373; P-0002, PHL-OTP-00015507-R02 at 0011-0012, lines 353-417; [REDACTED] at 0010-0011, lines 278-328, [REDACTED] at 0009, 0011-0012, lines 255-260, 319-359, [REDACTED] at 0002-0005, lines 2-108.
[35] [REDACTED] at 0006-0007, lines 164-174; [REDACTED] at 0002-0003, lines 3-70, [REDACTED] at 0003, lines 42-52.

member of the House of Representatives, the DDS was restructured to shadow the newly-created Heinous Crime Task Group within the Davao City Police Office.[36]

9. Between 2001 to 2004, **DUTERTE** announced the names of alleged criminals on local television and radio, and some of these individuals were subsequently shot and killed.[37] **DUTERTE** knew that his speeches had this effect, stating in 2003: "It's not my fault that whenever I give specific warnings against these criminals then some people die after a few days".[38] During this time, individuals who had come to the attention of police for their alleged involvement in crime—for example, civilians listed on the local police's "Order of Battle" as suspected drug pushers or reported to police for suspected criminality—were also shot, frequently in the head, and killed, in public places often by motorcycle-riding gunmen.[39] Also in 2003, **DUTERTE** told reporters, "I am terrorizing the criminals" and claimed to be "fine" with Davao City being a "murder capital"—so long those who died were "criminals".[40] In a 2004 television interview, **DUTERTE** said: "If you commit a crime or if you're into drugs, if you're into the kidnapping business and we happen to meet in one corner, just be ready because I'll just have to kill you".[41] In 2007, **DUTERTE** told [REDACTED], that criminal elements in Davao City needed to be eliminated by whatever means necessary.[42]

10. In 2009, the Chairperson of the Commission on Human Rights ("CHR") Leila DE LIMA[43] initiated an investigation into extrajudicial killings alleged to be carried out by the DDS in Davao City under **DUTERTE**'s rule.[44] Through public hearings, witness testimony[45] and forensic investigations—including the recovery of skeletal remains from Laud Quarry—CHR

[36] [REDACTED] at 2614, 2618-2619, lines 272-294, 413-451, [REDACTED] at 2660-2662, lines 693-760, [REDACTED] at 0005, lines 116-124, [REDACTED] at 0005-0006, lines 122-174; P-0002, PHL-OTP-0001-3619 at 3623-3624; GoPHL, PHL-OTP-0006-0164 at 0314, 0384 (Translation PHL-OTP-00250015 at 0152, 0222).
[37] [REDACTED], PHL-OTP-00002215 at 0208-0209; [REDACTED] at 0011, para. 60; [REDACTED], PHL-OTP-00240651 at 0003; HRW, PHL-OTP-0003-0886 at 0894. *See also* Mindanao Daily Mirror, PHL-OTP-00001090 at 0001, 0014; SunStar, PHL-OTP-00043891, PHL-OTP-00044023, PHL-OTP-00044147; Mindanao Times, PHL-OTP-00044089, PHL-OTP-00044169.
[38] SunStar, PHL-OTP-00043998 (Translation PHL-OTP-00247701).
[39] People's Daily Forum, PHL-OTP-00043884; SunStar, PHL-OTP-00043904, PHL-OTP-00043895, PHL-OTP-00043880, PHL-OTP-00043885, PHL-OTP-00043907, PHL-OTP-00043894, PHL-OTP-00043906, PHL-OTP-00043905, PHL-OTP-00043886, PHL-OTP-00043886, PHL-OTP-00043898, PHL-OTP-00043897, PHL-OTP-00044031, PHL-OTP-00044028, PHL-OTP-00044162, PHL-OTP-00043949, PHL-OTP-00044011, PHL-OTP-00044147; Daily Mirror, PHL-OTP-00043903; Philippine Daily Inquirer, PHL-OTP-00043881, PHL-OTP-00043887, PHL-OTP-00043899, PHL-OTP-00043882; Mindanao Times, PHL-OTP-00044150.
[40] Mindanao Daily Mirror, PHL-OTP-00001091 at 0001.
[41] GMA, PHL-OTP-00094992 (Transcript PHL-OTP-00237813; Translation PHL-OTP-00237901 at 0005, lines 114-116).
[42] [REDACTED] at 0016-0017, paras. 62-67.
[43] [REDACTED].
[44] [REDACTED] at 0006-0013, paras. 16-42.
[45] *See e.g.* GoPHL, PHL-OTP-0006-0153 (Translation PHL-OTP-00100010 at 0156-0157, paras. 19-27).

gathered evidence which [REDACTED].[46] The public nature of the CHR inquiry's existence as well as **DUTERTE**'s public reactions to it, including his verbal attacks on Leila DE LIMA,[47] show that he was already on notice of allegations of his involvement in DDS killings prior to the charged period. As outlined below, during the charged period, [REDACTED].[48]

11. **DUTERTE** became known as the "Punisher" and "Duterte Harry" for his violent rhetoric on drugs and crime.[49] The implementation of **DUTERTE**'s hardline stance against alleged criminals became known as 'the Davao model'.[50] [REDACTED][51] explained that the Davao model encompassed the 'neutralisation' of criminals including drug pushers, which meant "to kill".[52] It "was an unwritten policy in Davao" that police "have to kill whether it is a legitimate operation or not".[53] The Davao model prescribed a "code of silence" amongst police and the payment of rewards for killing.[54]

12. When campaigning for the Presidency in 2015 and 2016, **DUTERTE** vowed to implement the methods he had developed in Davao City, such as killing criminals, to put an end to criminality in the Philippines.[55] According to senior police officer [REDACTED], "the DAVAO model was always the one that's being trumpeted by **DUTERTE** during the campaign", which means to "kill the criminals. Kill, kill, kill". This was "repeated over and over again by DUTERTE during the campaign".[56] For example, on 1 November 2015, **DUTERTE** said of those involved in drugs: "if I become President, I will have you swallow the bullet […] I will really kill you. If I become President, all of you will be wiped out. I will

[46] [REDACTED] at 0008, para. 24. *See also* CHR, PHL-OTP-0006-9264.
[47] [REDACTED]. *See e.g.* Video of DUTERTE on *Gikan sa Masa*, 26 January 2014, PHL-OTP-00100652 (Transcript PHL-OTP-00250172; Translation PHL-OTP-00250204 at 0002, 0004, lines 34-36, 106-113); Video of DUTERTE on *Gikan sa Masa*, 8 June 2014, PHL-OTP-00100655 (Transcript PHL-OTP-00249340; Translation PHL-OTP-00249604 at 0002, 0004, lines 25-32, 104-107); Video of DUTERTE on *Gikan sa Masa*, 27 April 2014, PHL-OTP-00100644 (Transcript PHL-OTP-00250191; Translation PHL-OTP-00250225 at 0004, lines 94-97); Daily Mirror, PHL-OTP-00201455, PHL-OTP-00201471, PHL-OTP-00198420, PHL-OTP-00198434, PHL-OTP-00182923, PHL-OTP-00182935.
[48] *See below* [REDACTED].
[49] *See e.g.* [REDACTED], PHL-OTP-0018-0003 at 0003, 0005, 0009; HRW, PHL-OTP-0003-0886 at 0905; Reuters, PHL-OTP-0003-0124 at 0124.
[50] For more on the Davao 'formula', 'model' or 'template': *see* [REDACTED], PHL-OTP-00002215 at 0027, 0169; [REDACTED] at 0010-0011, 0017-0018, lines 330-349, 588-597; [REDACTED] at 0053-0055, lines 1847-1902; [REDACTED] at 0006, lines 166-177; [REDACTED] at 0016-0017, lines 548-555, [REDACTED] at 0009, lines 283-289; Reuters, PHL-OTP-0003-0199 at 0199-0208.
[51] Philippine National Police ("PNP"), PHL-OTP-00000200 at 0003.
[52] [REDACTED] at 0010-0011, lines 334-366.
[53] [REDACTED] at 0011, lines 347-358.
[54] [REDACTED] at 0010-0011, 0017-0018, lines 330-349, 588-597.
[55] *See below* para. 43.
[56] [REDACTED] at 0046, lines 1603-1632.

order your execution within 24 hours".[57] On 20 December 2015, he reiterated: "[o]n my first day as President, I will wipe out all the drug addicts".[58]

13. **DUTERTE** and his Co-Perpetrators[59] met and planned how they would use the State apparatus nationally to implement this model nationwide, just as they had used it locally in Davao City.[60] After **DUTERTE**'s 30 June 2016 inauguration, they immediately took steps to do so.[61] A centrepiece of this plan was the formal, national "anti-illegal drugs campaign": Project "Double Barrel", which was set out in the Philippine National Police ("PNP")'s Command Memorandum Circular ("CMC") No. 16-2016 ("CMC No.16-2016") that formally launched the anti-illegal drugs campaign nationwide.[62] The purpose of this campaign, as set out in CMC No.16-2016, was for the PNP to support the "Barangay Drug Clearing Strategy of the government and the neutralization of illegal drug personalities nationwide."[63] *Barangay* clearance operations involved PNP units, in coordination with local government and other government agencies, conducting multi-phase operations in "drug-affected barangays"[64] with the aim of declaring a *barangay* "free from any illegal drug activities".[65]

14. Project Double Barrel had two prongs or barrels: (i) Project *Tokhang* (house-to-house visits to "persuade suspected illegal drug personalities to stop their illegal drug activities");[66] and (ii) Project High Value Target ("HVT") (operations targeting those involved in trafficking and selling illegal drugs).[67] To implement each "barrel", various State actors worked in coordination to create lists of individuals to be targeted: (i) the targets of Project *Tokhang* operations were often (but not always) listed on *barangay* and police station watchlists;[68] while,

[57] Video of **DUTERTE** on *Gikan sa Masa*, 1 November 2015, PHL-OTP-00100668 (Transcript PHL-OTP-00250354; Translation PHL-OTP-00250259 at 0003, lines 46-52).
[58] Video of **DUTERTE** on *Gikan sa Masa*, 20 December 2015, PHL-OTP-00100663 (Transcript PHL-OTP-00250353; Translation PHL-OTP-00250258 at 0004, lines 98-104).
[59] As defined in para. 19 below.
[60] *See below* para. 44.
[61] *See below* paras. 23-24, 46, 63, 73, 79-80, 83, 91.
[62] PNP, PHL-OTP-0005-0259.
[63] PNP, PHL-OTP-0005-0259 at 0260.
[64] A barangay was considered "drug-affected" where "there is a proven existence of drug user, pusher, manufacturer, marijuana cultivator or other drug personalities", *see* PNP, PHL-OTP-0005-0259 at 0261. *See also* Dangerous Drugs Board ("DDB"), Board Regulation No. 2 – 2016, PHL-OTP-0005-0474 at 0474; PNP, Standard Operating Procedure No. 3 – 2016, PHL-OTP-00000905 at 0002.
[65] GoPHL, PHL-OTP-0005-0474; PNP, Standard Operating Procedure No. 3 – 2016, PHL-OTP-00000905 at 0005.
[66] PNP, PHL-OTP-0005-0259 at 0261-0264. *See also* PNP, PHL-OTP-00000905; GoPHL, PHL-OTP-0005-0474.
[67] PNP, PHL-OTP-0005-0259 at 0264-0265, PHL-OTP-0003-3418 at 3450.
[68] *See below* Count 3, Incidents 15-16, 19, 23, 27, 33, 48, 50-55.

(ii) the targets of Project HVT operations were often (but not always) listed on the PRRD List.[69] These lists and the evidence relating to them are discussed further below under Counts 2 and 3.

15. The formal campaign evolved over time: Project Double Barrel was implemented in the months following **DUTERTE**'s presidential inauguration until mid-October 2016. Amnesty International called this period: "Duterte's 100 days of carnage".[70] From 26 October 2016 to 29 January 2017, the campaign expanded into "Project Double Barrel Alpha", which focused on the "accounting of High Value Target Personalities" and extended Project *Tokhang* to schools, business establishments, subdivisions and condominiums, in addition to the visits to drug suspects' *barangay* residences.[71]

16. On 29 January 2017, at a Joint PNP-Armed Forces of the Philippines ("AFP") Command Conference at Malacañang Palace,[72] **DUTERTE** directed that police anti-illegal drug operations would temporarily stop, following the killing of South Korean national JEE Ick Joo by PNP personnel.[73] **DUTERTE** ordered[74] the dissolution the Anti-Illegal Drugs Group ("AIDG"),[75] the body responsible for "coordinat[ing] all anti-illegal drug operations at all levels of command" within the PNP in the context of Project HVT,[76] and also dissolved all anti-illegal drug units from the national to the police station level.[77] **DUTERTE** ordered that the Philippine Drug Enforcement Agency ("PDEA")—falling under the Dangerous Drugs Board ("DDB") in the Office of the President[78]—would take over all anti-drug-related operations.[79]

17. On 27 February 2017, during another Joint PNP-AFP Command Conference, **DUTERTE** called for the resumption of PNP anti-illegal drug operations.[80] From March to October 2017,

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[69] *See below* Count 2, Incidents 10-11, 13-14, [DELETED]. *See also* P-1439, PHL-OTP-00250462 at 0026-0046.
[70] AI, PHL-OTP-0003-0823.
[71] PNP, CMC No. 1-2017, PHL-OTP-00000896 at 0003, 0006-0007. *See also* PNP, PHL-OTP-0003-2546, PHL-OTP-0003-2523 at 2523, PHL-OTP-00036937 at 0002, PHL-OTP-0005-0476 at 0480.
[72] The official residence and principal workplace of the President of the Philippines.
[73] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0005, PHL-OTP-0003-2523 at 2523; Manila Times, PHL-OTP-0003-1552 at 1552-1555; CNN Philippines, PHL-OTP-0003-0223.
[74] PCOO, **DUTERTE**'s Press Conference with Police, PDEA and Army Chiefs, 29 January 2017, PHL-OTP-00249258 (Translation PHL-OTP-00249920 at 0012); CASOLAN's Senate Testimony, 14 March 2017, PHL-OTP-0006-1298 at 0001.
[75] [REDACTED], PHL-OTP-00236225-R01 at 0010, lines 309-312.
[76] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0264, 0270, para. 12(b).
[77] PNP, PHL-OTP-0003-2523 at 2523. *See also* PhilStar, PHL-OTP-0003-1853 at 0001-0004; GMA News Online, PHL-OTP-0003-1946; ABS-CBN News, PHL-OTP-0003-1950.
[78] Congress of the Philippines, Republic Act No. 9165, 7 June 2002, Sections 78 and 82, PHL-OTP-0017-4870 at 4904, 4909-4910.
[79] PCOO, **DUTERTE**'s Press Conference with Police, PDEA and Army Chiefs, 29 January 2017, PHL-OTP-00249258 (Translation PHL-OTP-00249920 at 0232); PhilStar, PHL-OTP-0003-1853 at 0001-0004; Rappler, PHL-OTP-0003-1860.
[80] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0001, 1(a), 0006; CASOLAN's Senate Testimony, 14 March 2017, PHL-OTP-0006-1298 at 0001.

'Project Double Barrel: Reloaded' was implemented, giving responsibility to the PNP to "orchestrate the conduct of vigorous, unrelenting, and deliberate campaign against illegal drugs focusing on the clearing operations of drug affected barangays".[81] Project *Tokhang* became 'Project *Tokhang*: Revisited', whereby representatives of religious groups and *barangay* officials or *purok* leaders participated in house-to-house visits.[82] Project HVT was renamed 'Project HVT: Revalidated': "a massive and reinvigorated anti-illegal drugs operation targeting importers, financiers, distributors, protectors, manufacturers, and traffickers of illegal drugs".[83] As part of this new phase, on 2 June 2017, the PNP also established the Drug Enforcement Group ("DEG") to replace the defunct AIDG, while anti-illegal drug units throughout the PNP's territorial units from the regional to the station level were renamed and reorganised as drug enforcement units.[84]

18. From 10 October to 4 December 2017, **DUTERTE** again suspended the police's involvement in anti-drug operations after the killing of Kian DELOS SANTOS (Incident 30) and responsibility for the campaign was transferred exclusively to PDEA,[85] until 5 December 2017, when the PNP was again brought back into the campaign. From this date until 16 March 2019 and beyond, PDEA supervised the PNP in anti-illegal drug operations.[86]

B. Indirect co-perpetration (article 25(3)(a))

i. DUTERTE and his Co-Perpetrators agreed to the Common Plan

19. At least between 1 November 2011 and 16 March 2019, **DUTERTE** and his co-perpetrators shared a common plan or agreement to 'neutralise' persons in the Philippines who were perceived or alleged to be involved in drug-related and other crimes through violent crimes including murder ("Common Plan"). The members of the Common Plan (together, including **DUTERTE**: "the Co-Perpetrators"), each for at least part of the charged period, included:

[81] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0004. *See also* PNP, PHL-OTP-0003-2554 at 2554.
[82] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0009-0010. *See also* PNP, PHL-OTP-0003-2554 at 2554; Manila Times, PHL-OTP-0003-1704 at 1704-1709; Manila Bulletin, PHL-OTP-0003-1716.
[83] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0010. *See also* Manila Bulletin, PHL-OTP-0003-1716.
[84] PNP, PHL-OTP-00000091 at 0001-0027. *See also* Manila Times, PHL-OTP-0003-1704 at 1704-1709.
[85] President of the Philippines, Memorandum from the President: Implementation of Republic Act 9165 Otherwise Known as the "Comprehensive Dangerous Drugs Act of 2002", 10 October 2017, PHL-OTP-0005-0439; PCOO, PHL-OTP-0003-3720 at 3720; President of the Philippines, Memorandum Order No. 17, 5 December 2017, PHL-OTP-0003-3319. *See also* PDEA, PHL-OTP-0003-2556 at 2556-2557.
[86] PDEA, PHL-OTP-0003-2579 at 2580.

(i) Ronald 'Bato' DELA ROSA ("DELA ROSA"): Mayoral period: Chief of Davao City Police (January 2012-October 2013); Presidential period: Chief of the PNP (July 2016-April 2018);

(ii) Vicente DANAO ("DANAO"): Mayoral period: Chief of Davao City Police (October 2013-June 2016); Presidential period: Counterintelligence Chief, PNP Directorate for Intelligence in PNP National Headquarters (July 2016-February 2017); Chief of Directorial Staff and then Deputy Director for Operations of the PNP Criminal Investigation and Detection Group ("CIDG") (February 2017-November 2018); Manila Police District ("MPD") Director (November 2018-October 2019);

(iii) Camilo CASCOLAN ("CASCOLAN"): Mayoral period: Finance Chief of Davao Region Police Office (2011-2012); Presidential period: Chief of the PNP Directorate for Operations (July 2016-April 2018); Regional Director of the National Capital Region ("NCR") Police Office ("NCRPO") (April-May 2018); Chief of Staff in the PNP Office of the Chief of Directorial Staff (September 2018-October 2019);[87]

(iv) Oscar ALBAYALDE ("ALBAYALDE"),[88] who joined the Common Plan only in the Presidential period: Regional Director of the NCRPO (July 2016-April 2018); Chief of the PNP (April 2018-October 2019);

(v) Christopher Lawrence 'Bong' GO ("Bong GO"): Mayoral period: **DUTERTE**'s Personal Aide and Special Assistant (1998-2016); Presidential period: **DUTERTE**'s Special Assistant and Chief of the Presidential Managerial Staff (June 2016-October 2018);

(vi) Dante GIERRAN ("GIERRAN"): Mayoral period: Davao Regional Director of the National Bureau of Investigation ("NBI") (2013–2016); Presidential period: Director of the NBI (2016-2020);

(vii) Isidro LAPEÑA ("LAPEÑA"): Prior to the charged period: Davao City Police Chief (1996-1998); Presidential period: Chief of PDEA (2016-2017);

(viii) Vitaliano AGUIRRE II ("AGUIRRE"): Mayoral period: lawyer for **DUTERTE** and other members of the DDS; Presidential period: Secretary of Justice ("SoJ") of the Philippines (July 2016-April 2018);

[87] CASCOLAN passed away in 2023: P-1117, PHL-OTP-00088571-R01 at 0030, line 967.
[88] [REDACTED].

(ix) Other members of the PNP and high-ranking government officials.

20. **DUTERTE**'s frequent public speeches during his presidential campaign, which both outlined the Common Plan and his intention to implement it nationwide as President, meant that any individual who accepted a lead role in **DUTERTE**'s administration that was key to the implementation of this plan was signalling their agreement (or, continued agreement) to the Common Plan. The Co-Perpetrators and their roles within the formal structures are visually illustrated in Annexes G, H.1, H.2, I.1, I.3, I.4, I.6, I.8 and described further below.

a) DELA ROSA

21. DELA ROSA graduated from the Philippine Military Academy ("PMA") in 1986 and commenced his career as a lieutenant in the then-Philippine Constabulary in Davao City.[89] By the late 1980s, DELA ROSA was acquainted with **DUTERTE**, and by 1989 they were sufficiently close that **DUTERTE** served as principal sponsor at DELA ROSA's wedding.[90] DELA ROSA was a police officer for more than 30 years, mostly in Davao,[91] where insiders stated that he was involved in DDS killings.[92] From January 2012 to 18 October 2013, DELA ROSA was Director of the Davao City Police Office ("DCPO").[93] In this role, he developed and implemented a style of police operation called "*Tokhang*", described above,[94] pursuant to which listed persons were often later killed.[95] DELA ROSA conveyed orders and approvals of killings between **DUTERTE** and the handlers of DDS teams.[96] He also took steps to ensure impunity for DDS killings.[97]

22. From 1 July 2016 to 19 April 2018, DELA ROSA was Chief of the PNP,[98] with power

[89] The Philippine Constabulary was a gendarmerie-style military police force from 1901 to 1991 and a predecessor to the PNP, which was established in 1991 when the Constabulary and Integrated Police Force were merged: Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321.
[90] [REDACTED] at 0011, lines 307-319; [REDACTED] at 0073, lines 2504-2517; Rappler, PHL-OTP-0003-1438 at 1442. *See also* [REDACTED] at 0039, lines 1358-1364.
[91] PNP, PHL-OTP-00000216 at 0002-0003.
[92] [REDACTED] at 0014, lines 410-431, [REDACTED] at 0002-0005, lines 9-133, [REDACTED] at 0011, lines 330-333; P-0002, PHL-OTP-00015508-R01 at 0002-0003, 0011-0013, 0023-0024, lines 24-53, 364-376, 839-864, PHL-OTP-00015509-R02 at 0003, lines 63-66; [REDACTED] at 0003, lines 38-45, [REDACTED] at 0007, lines 179-182.
[93] PNP, PHL-OTP-00000216 at 0003.
[94] *See above* para. 14.
[95] [REDACTED] at 0011-0012, lines 325-382; P-0002, PHL-OTP-00015508-R01 at 0011, lines 364-373, 398-404; Rappler, Video of CASCOLAN's Interview, PHL-OTP-00001485 (Transcript PHL-OTP-00015384; Translation PHL-OTP-00015389 at 0004, lines 96-105); SunStar Davao, PHL-OTP-00001086 at 0004.
[96] [REDACTED] at 0011-0013, lines 338-381; P-0002, PHL-OTP-00015515-R01 at 0017-0018, lines 581-593.
[97] [REDACTED] at 0006-0007, lines 149-196.
[98] PNP, PHL-OTP-00000216 at 0002.

over and responsibility for more than 180,000 PNP personnel.[99] In the lead-up to **DUTERTE**'s inauguration, DELA ROSA met with other Co-Perpetrators to be ready to immediately roll out the Common Plan nationwide.[100] On 18 May 2016, he told reporters: "Killings in the name of drugs. This is really about killings in the name of drugs. So you drug lords out there, get ready because I'll crush you".[101]

23. On his first day in office, he issued CMC No.16-2016, formally launching the national anti-illegal drug campaign.[102] DELA ROSA made public statements endorsing and calling for killings[103] and transferred, promoted and protected police under his command who were alleged to have been involved in killings.[104] During DELA ROSA's tenure, the vast majority of killings by State actors were perpetrated by PNP personnel.[105]

24. DELA ROSA used his power as PNP Chief[106] to transfer his police Co-Perpetrators CASCOLAN,[107] ALBAYALDE,[108] and DANAO[109] and other trusted police colleagues to strategic posts within the PNP to optimise the execution of the Common Plan.[110] For example, he told Albert FERRO that he had made him head of the AIDG to enforce President **DUTERTE**'s directive to eliminate drug suspects.[111] DELA ROSA also used his powers as PNP Chief to transfer lower-level police who had already demonstrated their preparedness to kill alleged criminals in Davao to different areas of the Philippines,[112] such as police officer

[99] GoPHL Commission on Audit, PHL-OTP-00091969 at 0001-0002. *See also* [REDACTED] at 0019, lines 688-693.
[100] [REDACTED] at 0053-0055, lines 1826-1913; Rappler, Video of CASCOLAN's Interview, PHL-OTP-00001485 (Transcript PHL-OTP-00015384; Translation PHL-OTP-00015389 at 0002, lines 18-31).
[101] Video of DELA ROSA's Interview, 18 May 2016, PHL-OTP-00015282 (Transcript PHL-OTP-00015610; Translation PHL-OTP-00015577 at 0002, lines 5-6).
[102] PNP, PHL-OTP-0005-0259. *See above* para. 13.
[103] Video of DELA ROSA's Interview, 26 August 2016, PHL-OTP-00000288 (Transcript PHL-OTP-00000841; Translation PHL-OTP-00000849 at 0002); PhilStar, PHL-OTP-0003-1334 at 1334.
[104] *See e.g.* PNP, PHL-OTP-00000894 at 0021 ([REDACTED]), 0028 ([REDACTED]), PHL-OTP-00000887; Reuters, PHL-OTP-0003-0309.
[105] DUTERTE has acknowledged this allegation: President of the Philippines, Memorandum Order No. 17: Directing the PNP and Other Law Enforcement Agencies to Resume Providing Active Support to the Philippine Drug Enforcement Agency in the Conduct of Anti-Illegal Drug Operations, 5 December 2017, PHL-OTP-0003-3319 at 3319.
[106] Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3324, Section 26.
[107] PNP, PHL-OTP-00092110 at 0009, PHL-OTP-00088654 at 0003, PHL-OTP-00017571 at 0084.
[108] PNP, PHL-OTP-00092110 at 0011, PHL-OTP-00000198 at 0003; Rappler, PHL-OTP-00089061 at 0001-0002.
[109] PNP, PHL-OTP-00000894 at 0007.
[110] On strategic or target areas, *see* Video of DELA ROSA's Interview, 3 June 2016, PHL-OTP-00015285 (Transcript PHL-OTP-00016133; Translation PHL-OTP-00016403 at 0004). *See also* PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0002, CMC No.01-2017, 8 January 2017, PHL-OTP-00000896 at 0003.
[111] [REDACTED] at 0004, lines 109-121.
[112] [REDACTED] at 0046-0047, lines 1604-1639. *See also* para. 184.

[REDACTED][113] during the Mayoral period[114]—[REDACTED].[115] [REDACTED].[116] [REDACTED] subsequently became a hotspot for killings by police.[117]

25. DELA ROSA publicly encouraged police to invoke 'self-defence' scenarios to make the killings of alleged criminals appear legitimate: "If somebody fights back, they'll die. If nobody fights back, we'll make them fight back".[118] He also made it clear that it was important to cover up murders rather than to ensure that there were no murders: "[I]f they don't see any evidence that we are committing violations, then what can they do?"[119] He warned "drug lords" that their murders would be covered up: "I will find a way to have you killed without having a bullet on you from the police".[120]

26. On 30 April 2018, **DUTERTE** appointed DELA ROSA as Director General of Bureau Corrections ("BuCor").[121] The purpose of the appointment was to further the anti-illegal drug campaign: DELA ROSA would dismantle drug networks within prisons.[122] He vowed to "succeed": "I won't be defeated by the drug lords […] As to how I will do it, just use your wild imagination".[123] In this position, DELA ROSA continued to employ aggressive rhetoric and encourage killings: for example, he told BuCor staff to kill detained drug lords as "I have your back": "You're afraid of drug lords? If they can kill you, you can also kill them because they're in prison".[124]

b) DANAO

[113] P-0002, PHL-OTP-00015514-R01 at 0009-0011, lines 311-417. [REDACTED]. For more on [REDACTED]: HRW, PHL-OTP-0005-0802 at 0015.
[114] P-0002, PHL-OTP-00015541-R01 at 0005, lines 144-154.
[115] PNP, PHL-OTP-00000894 at 0021, PHL-OTP-00000887, PHL-OTP-00000894 at 0028; Reuters, PHL-OTP-0003-0309, PHL-OTP-0003-0549. *See also* PNP, PHL-OTP-00000214.
[116] Reuters, PHL-OTP-0003-0309 at 0003.
[117] [REDACTED] at 0065, para. 331.
[118] Newsline, Video of DELA ROSA's Interview, 3 June 2016, PHL-OTP-00015285 (Transcript PHL-OTP-00016133; Translation PHL-OTP-00016403 at 0005-0008).
[119] GMA, Video of DELA ROSA's Speech, 24 August 2016, PHL-OTP-00092203 (Transcript PHL-OTP-00092638; Translation PHL-OTP-00092647 at 0005, lines 144-145).
[120] ABS-CBN, Video of DELA ROSA's Interview, 7 July 2016, PHL-OTP-00092202 (Transcript PHL-OTP-00092613; Translation PHL-OTP-00092612 at 0003, 0006, lines 46, 157-162).
[121] President of the Philippines, 30 April 2018, PHL-OTP-00090642; GoPHL, PHL-OTP-00092315.
[122] Manila Bulletin, Video of DUTERTE's Speech, 19 April 2018, PHL-OTP-00092889 (Transcript PHL-OTP-00093036; Translation PHL-OTP-00093045 at 0002, lines 2-14); Rappler, Video of DELA ROSA's Interview, 13 December 2017, PHL-OTP-00092898 (Transcript PHL-OTP-00093038; Translation PHL-OTP-00093047 at 0002, lines 2-13); Inquirer, PHL-OTP-00090640 at 0001.
[123] Inquirer, PHL-OTP-00090638 at 0001.
[124] Inquirer, PHL-OTP-00092928 at 0001; HRW, PHL-OTP-00092930 at 0001.

27. DANAO graduated from the PMA in 1991 and joined the Special Action Force in Region 11 (Davao).[125] DANAO knew then-Mayor **DUTERTE** since at least the 1990s when DANAO, who was the Baguio station commander in Davao City, carried out **DUTERTE**'s "order without asking any question" and "killed these three or four guys", which impressed **DUTERTE**.[126] In October 2013, **DUTERTE** appointed DANAO as Director of the DCPO, a position he held until June 2016.[127] As DCPO Director, DANAO ordered police to accelerate ("double-time") the *Tokhang* campaign and to kill drug users, pushers and other criminals.[128] He coordinated between different police stations in Davao City before DDS killings to ensure that the police would not arrest the perpetrators.[129] **DUTERTE** said: "DANAO is very good, you know. Expect a clean city. You know what I mean by clean city".[130]

28. When **DUTERTE** won the presidential election, DANAO said: "[n]umber one there is the anti-criminality campaign […] we will pound them hard when it comes to drugs".[131] DELA ROSA transferred DANAO from Davao City to PNP Headquarters at Camp Crame,[132] where he held leadership roles in the Directorate for Intelligence and the CIDG until November 2018, when he became Director of MPD.[133] DANAO said he intended to replicate the same strategies he had used in Davao City to MPD.[134] He warned: "If I discover anyone involved in drugs, especially those who distribute or just throw them around, son of a bitch, I will go after you, god damn. I will kill you. Blatantly I am saying that. Sons of bitches".[135] After the charged period, **DUTERTE** appointed DANAO PNP Chief (Officer-in-Charge).[136]

c) CASCOLAN

[125] PNP, PHL-OTP-00000894 at 0003-0005.
[126] P-0002, PHL-OTP-00015524-R01 at 0009-0010, lines 266-307. *See also* Rappler, PHL-OTP-0003-2331 at 0003.
[127] PNP, PHL-OTP-00000147-R01 at 0054; Rappler, PHL-OTP-0003-2331 at 0002.
[128] P-0002, PHL-OTP-00015509-R02 at 0004, lines 119-126; [REDACTED] at 0013, lines 426-434. *See also* Inquirer, PHL-OTP-00015201.
[129] [REDACTED] at 0010-0014, lines 295-422, [REDACTED] at 0004-0005, lines 83-117; P-0002, PHL-OTP-00015525-R01 at 0002-0003, lines 35-54.
[130] **DUTERTE**'s Speech, 17 November 2013, PHL-OTP-00100660 (Transcript PHL-OTP-00250352; Translation PHL-OTP-00250257 at 0003, lines 71-73).
[131] Video of DANAO's interview, May 2016, PHL-OTP-00015193 (Transcript PHL-OTP-00018973; Translation PHL-OTP-00019094 at 0002, lines 3-4).
[132] PNP, PHL-OTP-00000894 at 0007.
[133] PNP, PHL-OTP-00000894 at 0003, 0006.
[134] Video of DANAO's Interview, 2018, PHL-OTP-00015203 (Transcript PHL-OTP-00018976; Translation PHL-OTP-00019097 at 0003, lines 54-60).
[135] Rappler, PHL-OTP-0003-2331 at 0002.
[136] PNP, PHL-OTP-00000894 at 0003.

29. CASCOLAN was a PMA classmate of fellow Co-Perpetrators DELA ROSA and ALBAYALDE, graduating in 1986.[137] CASCOLAN worked for the PNP from 1987 and was stationed in Davao Region between 2011 and 2014,[138] where he became friends with Bong GO[139] and gained **DUTERTE**'s trust.[140] In the lead-up to **DUTERTE**'s inauguration, CASCOLAN met with other Co-Perpetrators to plan to expand the Common Plan nationwide and played a key role in drafting Project Double Barrel.[141]

30. After **DUTERTE**'s inauguration, CASCOLAN was appointed PNP Director of Operations (2016-2018).[142] In this role, CASCOLAN was responsible for the oversight and tracking of PNP operations, including the anti-illegal drugs campaign.[143] After the high-profile killing of South Korean national JEE Ick Joo, CASCOLAN recommended reorganising the PNP AIDG into the PNP DEG,[144] merely a change of nomenclature which allowed the killings to continue.[145] After the charged period, **DUTERTE** appointed CASCOLAN as Chief of PNP for his last two months in police service before retirement (from September to November 2020).[146]

d) ALBAYALDE

31. ALBAYALDE was classmates with DELA ROSA and CASCOLAN at the PMA.[147] After graduating in 1986 and joining the police, ALBAYALDE was principally assigned to Pampanga Province throughout his career, including as chief of various stations.[148] On 1 July 2016, DELA ROSA appointed ALBAYALDE as Regional Director of the NCRPO in

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[137] PNP, PHL-OTP-00088654 at 0002; Philippines News Agency ("PNA"), PHL-OTP-0003-2330; Rappler, PHL-OTP-00090201 at 0002.
[138] PNP, PHL-OTP-00088654 at 0003-0004.
[139] Rappler, PHL-OTP-00090201 at 0002.
[140] [REDACTED] at 0005, para. 30; [REDACTED], PHL-OTP-00088633-R01 at 0021-0022, lines 725-732; Rappler, PHL-OTP-00090214 at 0003-0004.
[141] Rappler, Video of CASCOLAN's Interview, PHL-OTP-00001485 (Transcript PHL-OTP-00015384; Translation PHL-OTP-00015389 at 0002-0004, lines 19-31, 53-58, 101-105); [REDACTED], PHL-OTP-00088633-R01 at 0012-0029, lines 431-1009; Rappler, PHL-OTP-00090214 at 0002.
[142] [REDACTED], PHL-OTP-00088633-R01 at 0012, line 398; [REDACTED] at 0015, lines 487-488; PNP, PHL-OTP-00088654 at 0003, PHL-OTP-00017571 at 0084; Rappler, PHL-OTP-00090201 at 0001.
[143] PNP, PHL-OTP-00000145 at 0094; CASCOLAN's Speech to the Committee on Public Order and Safety, 14 March 2017, PHL-OTP-0006-1298 at 1298-1301, PHL-OTP-0006-1302 at 1302, PHL-OTP-0006-1306 at 1307; PCOO, PHL-OTP-0007-0598 (Transcript PHL-OTP-00091732; Translation PHL-OTP-00091742 at 0017); Rappler, PHL-OTP-0003-1463 at 1464-1465. *See e.g.* Police Circulars signed by CASCOLAN: PNP, PHL-OTP-00000084.
[144] PNP, PHL-OTP-0003-2561 at 2561.
[145] [REDACTED] at 0019, lines 628-630, [REDACTED] at 0015, lines 506-508.
[146] PNP, PHL-OTP-00088654 at 0002; [REDACTED] at 0015- 0016, lines 495-543; P-1117, PHL-OTP-00088571-R01 at 0026, lines 833-839; [REDACTED], PHL-OTP-00088633-R01 at 0021, lines 700-701; IMT, PHL-OTP-00090197 at 0001.
[147] [REDACTED], PHL-OTP-00236163 (Transcript [REDACTED]; Translation [REDACTED] at 0003, 0005, lines 47-54, 119-120); PNP, PHL-OTP-00000198 at 0002; GMA, PHL-OTP-00089063 at 0001; Rappler, PHL-OTP-00089065 at 0001.
[148] PNP, PHL-OTP-00000198 at 0003.

Manila,[149] with 30,000 police under his command.[150] ALBAYALDE said of his priorities in this role: "number one is the campaign on drugs".[151] [REDACTED].[152] During ALBAYALDE's tenure, NCRPO was a 'hot spot' for killings and some of the deadliest weeks in the anti-drug campaign were registered.[153] ALBAYALDE's public reaction to the high number of killings was to assert: "There will be casualties here, because we are at war".[154] In April 2018, following DELA ROSA's retirement, **DUTERTE** appointed ALBAYALDE as PNP Chief.[155] ALBAYALDE vowed to continue and intensify the anti-illegal drugs campaign, which he claimed had "yielded very good results".[156]

e) Bong GO

32. Bong GO first became **DUTERTE**'s Special Assistant in 1998 and held the position continuously until October 2018.[157] He managed **DUTERTE**'s personal and professional affairs, including his appointments, and was known as the "gateway" to **DUTERTE**.[158] During the Mayoral period, Bong GO relayed names of targets and orders to kill, reports on the success of killings and financial rewards between **DUTERTE** and the DDS handlers.[159] Bong GO played a key role in the preparations to expand the Common Plan nationwide by facilitating and participating in the planning meetings.[160]

33. When **DUTERTE** became President, he appointed Bong GO as his Special Assistant and issued an Executive Order broadening the scope of this role to task Bong GO with supervision

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[149] [REDACTED] at 0007, 0011-0013, 0028, lines 217-219, 366-401, 407-410, 455-467, 1028-1030, [REDACTED] at 0002, lines 18-21, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0005, lines 199-120); PNP, PHL-OTP-00092110 at 0011, PHL-OTP-00000198 at 0003; Rappler, PHL-OTP-00089061 at 0001-0002. *See also* [REDACTED] at 0022-0023, lines 720-755; [REDACTED], PHL-OTP-00232383-R01 at 0015, lines 502-503.
[150] [REDACTED] at 0027, lines 1028-1030.
[151] [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0005, lines 131-138).
[152] [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0007, lines 227-230). *See below* para. 116.
[153] *See e.g.* [REDACTED].
[154] [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0010, 0019, lines 313-318, 700-701). *See also* New York Times, PHL-OTP-0003-0168 at 0169.
[155] Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321, Section 31; PNP, PHL-OTP-00000198 at 0003; [REDACTED] at 0007, 0012, lines 224-227, 401-406.
[156] The Manila Times, PHL-OTP-0003-1494 at 0002. *See also* [REDACTED] at 0025, lines 838-855.
[157] Website of Senator Bong GO, PHL-OTP-00091831 at 0001; GMA, PHL-OTP-00091815 at 0001; PhilStar, PHL-OTP-00091821 at 0001, PHL-OTP-00091833 at 0001; SunStar, PHL-OTP-00091827 at 0001.
[158] [REDACTED] at 0010, lines 344-349; Inquirer, PHL-OTP-00091817 at 0002; PhilStar, PHL-OTP-00091833 at 0001. *See also* P-0002, PHL-OTP-00015503-R01 at 0002, lines 7-19.
[159] P-0002, PHL-OTP-00015519-R01 at 0003, lines 69-78, PHL-OTP-00015527-R01 at 0007, lines 209-238, 0009, lines 296-305, PHL-OTP-00015528-R02 at 0005, lines 119-127, PHL-OTP-00015508-R01 at 0014, lines 487-495, PHL-OTP-00015519-R01 at 0004, lines 99-101, PHL-OTP-00015520-R02 at 0004, lines 83-91, 0005, lines 120-135, PHL-OTP-00015525-R01 at 0013, lines 455-457, PHL-OTP-00015527-R01 at 0007, lines 243-270, PHL-OTP-0001-3619 at 3625, para. 17, 3628, para. 22(b), 3708-3709, para. 167, 3729-3730, para. 208, 3774, para. 266(d), 3788-3789, para. 278(a), 3791, para. 280, 3802, para. 290(d), 3774, para. 266(d).
[160] [REDACTED] at 0055, lines 1892-1905; [REDACTED] at 0020-0024, lines 663-832.

of multiple offices within the Office of the President.[161] As he had done in Davao City, Bong GO relayed names of targets, orders, reports and rewards between **DUTERTE** and the perpetrators of killings.[162]

f) GIERRAN

34. GIERRAN is an attorney[163] and **DUTERTE**'s law school fraternity brother.[164] GIERRAN worked as an NBI agent in Davao City from 1992 to 2001,[165] before being promoted to NBI Davao Regional Director in 2013.[166] [REDACTED] claim that GIERRAN was involved in DDS killings while working for the NBI in Davao.[167]

35. In 2016, **DUTERTE** appointed GIERRAN as national NBI Director and he served in this role until 2020.[168] **DUTERTE** claims that before appointing GIERRAN, he asked him: "Are you able to kill an agent of yours, an agent of yours if they're messing up your work?", to which GIERRAN responded: "Yes".[169] GIERRAN's NBI did not investigate crimes committed as part of the anti-illegal drugs campaign until ordered to do so by the Department of Justice ("DoJ")—which did not occur until 2017.[170]

g) LAPEÑA

36. LAPEÑA graduated from the PMA in 1973.[171] He served in the Davao City police for 15 years,[172] including as DCPO Chief from 1996 to 1998,[173] and became a "friend" of

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[161] President of the Philippines, Executive Order No. 1, 30 June 2016, PHL-OTP-00090753 at 0002, Section 2; PhilStar, PHL-OTP-00091833 at 0001, PHL-OTP-00091821 at 0001; GMA, PHL-OTP-00091815 at 0001.
[162] [REDACTED] at 0018-0019, 0036-0037, lines 594-635, 1126-1281; [REDACTED] at 0002, 0011-0012, 0015; [REDACTED] at 0007, 0010, lines 207-217, 340-348, [REDACTED] at 0048-0050, 0053, lines 1649-1713, 1835. *See also* [REDACTED], PHL-OTP-00015299 (Transcript PHL-OTP-00015299; Translation PHL-OTP-00015615 at 0002, lines 2-9).
[163] PNA, PHL-OTP-00091789; Inquirer, PHL-OTP-00090255 at 0009.
[164] P-0002, PHL-OTP-00015508-R01 at 0005, lines 172-173, PHL-OTP-00015529-R01 at 0007, lines 199-200; Lex Talionis Fraternitas on Facebook, PHL-OTP-00091787-R01 at 0001; Rappler, PHL-OTP-00091785 at 0002.
[165] Rappler, PHL-OTP-00091785 at 0002.
[166] P-0002, PHL-OTP-00015529-R01 at 0005-0006, lines 127-167; PHL-OTP-00091785, 0002; SunStar, PHL-OTP-00090554.
[167] P-0002, PHL-OTP-00015515-R01 at 0011-0012, lines 359-386, PHL-OTP-00015529-R01 at 0004-0006, lines 95-175; [REDACTED] at 0009-0012, lines 263-354.
[168] PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0002); GoPHL, PHL-OTP-0006-0164 at 0166 (Translation PHL-OTP-00250015 at 0004); PNA, PHL-OTP-00091789 at 0001; Rappler, PHL-OTP-00091785 at 0001.
[169] PCOO Video of DUTERTE's Speech, 2 February 2017, PHL-OTP-00045003 (Transcript PHL-OTP-00090515; Translation PHL-OTP-00090686 at 0002-0003, lines 43-47).
[170] DOJ, Department Order 120, 20 February 2017, PHL-OTP-00017580. *See also* AI, PHL-OTP-0003-0582 at 0631.
[171] PNA, PHL-OTP-00017658; PDEA, PHL-OTP-00036874 at 0009.
[172] PNA, PHL-OTP-00017658.
[173] PDEA, PHL-OTP-0003-2623 at 2654.

DUTERTE.[174] **DUTERTE** said that LAPEÑA was willing to be "harsh" with the dealers whom **DUTERTE** had threatened to kill in Davao City.[175] P-0002 claims that, as DCPO Chief, LAPEÑA ordered police in the DDS to kill individuals cleared by **DUTERTE**.[176] From 2002 to 2004, LAPEÑA was Regional Director of PRO-11, before retiring from the police in 2007.[177]

37. In June or July 2016, LAPEÑA met with other Co-Perpetrators including DELA ROSA and Bong GO to discuss how they would implement the Common Plan nationwide.[178] On 30 June 2016, **DUTERTE** appointed LAPEÑA as Director General of PDEA,[179] a position he held until September 2017.[180] PDEA was the "lead agency" enforcing anti-drug laws in the Philippines and was involved in high-value target and high-impact operations,[181] as well as the validation and storage of drug watchlists.[182] LAPEÑA had responsibility for 1,800 PDEA personnel.[183]

38. On 2 July 2016, LAPEÑA addressed his staff at PDEA National Headquarters and explained that President **DUTERTE** "wants to replicate and expand" "strict law enforcement against illegal drug activities" that "we" implemented in Davao City—"And that is precisely what I intend to do".[184] During a [REDACTED], LAPEÑA told [REDACTED].[185] [REDACTED] understood LAPEÑA's words to be aimed at "encouraging us to shoot".[186]

h) AGUIRRE

39. AGUIRRE and **DUTERTE** were fraternity brothers in law school, where they became "close friends".[187] As a lawyer, AGUIRRE represented **DUTERTE** and other DDS members (such as the owner of mass grave site Laud Quarry, Davao City police officer Bienvenido

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[174] P-0002, PHL-OTP-00015517-R01 at 0003, line 43; Inquirer, PHL-OTP-00090426 at 0001.
[175] PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0002).
[176] P-0002, PHL-OTP-00015501-R01 at 0005-0006, lines 153-194.
[177] PDEA, PHL-OTP-0003-2623 at 2654.
[178] [REDACTED] at 0053-0055, lines 1826-1902. *See also* [REDACTED] at 0046-0048, lines 1671-1702.
[179] Using his power under: Congress of the Philippines, Republic Act No. 9165, 7 June 2002, PHL-OTP-0017-4870 at 4909, Section 82.
[180] PDEA, PHL-OTP-0003-2623 at 2623, PHL-OTP-0003-2569 at 0004; PNA, PHL-OTP-00017658.
[181] Congress of the Philippines, Republic Act No. 9165, 7 June 2002, PHL-OTP-0017-4870 at 4909-4912, Sections 82, 84; [REDACTED] at 0005-0007, lines 144-186; PDEA, PHL-OTP-00036874 at 0012, 0034, 0046, PHL-OTP-0003-2608 at 2611.
[182] [REDACTED] at 0006-0009, lines 150-270.
[183] GoPHL, PHL-OTP-0006-1276 at 0001 (Translation PHL-OTP-00091735 at 0001).
[184] PDEA, PHL-OTP-0003-2623 at 2623-2626.
[185] [REDACTED] at 0016-0019, lines 555-633, [REDACTED] at 0004-0006, lines 103-162.
[186] [REDACTED] at 0018, line 620.
[187] PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0006); P-0002, PHL-OTP-00015529-R01 at 0006-0007, lines 181-203; PhilStar, PHL-OTP-00090270; Rappler, PHL-OTP-00090264; HRW, PHL-OTP-0003-0662 at 0102.

LAUD) in cases related to their DDS crimes.[188] AGUIRRE worked to cover up DDS killings, including by telling DDS members to move the bodies of victims buried in Laud Quarry so that they would not be discovered,[189] and by publicly claiming that bones exhumed from the quarry were those of "animals" or people executed during the Japanese occupation of the Philippines.[190]

40. On 1 July 2016, **DUTERTE** appointed AGUIRRE SoJ of the Philippines, a position he served in until April 2018.[191] As SoJ, AGUIRRE oversaw the government's principal law agency, the DoJ, and had responsibility for the National Prosecution Service ("NPS") and the BuCor.[192] He was an *ex-officio* member of the DDB.[193] As in Davao City, AGUIRRE worked to ensure impunity for the physical perpetrators of Common Plan crimes, including by resisting calls for independent investigations into killings[194] and dismissing and minimising allegations of killings as politically motivated or "blown out of proportion".[195] While AGUIRRE's NPS only prosecuted a handful of low-level perpetrators of the thousands of Common Plan killings,[196] he [REDACTED] of the Common Plan, [REDACTED],[197] [REDACTED], which was [REDACTED].[198]

ii. The existence and scope of the Common Plan

41. The existence and scope of the Common Plan are evidenced through the following: *First*, insider witnesses detailed how the Common Plan originated in Davao City in the late 1980s, where Mayor **DUTERTE** and his police Co-Perpetrators organised Davao City police officers and non-police hitmen into DDS liquidation squads.[199] **DUTERTE** personally instructed

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[188] P-0002, PHL-OTP-00015529-R01 at 0006-0007, lines 181-208; [REDACTED], PHL-OTP-00002215 at 0206; [REDACTED], PHL-OTP-00248764-R01 at 0013, lines 419-425; PhilStar, PHL-OTP-00090270, PHL-OTP-00091893.
[189] P-0002, PHL-OTP-00015529-R01 at 0006-0007, lines 181-203, PHL-OTP-0001-3619 at 3778-3779, para. 269(i)-(j).
[190] [REDACTED], PHL-OTP-00002215 at 0219; PCIJ, PHL-OTP-00091895 at 0003; PhilStar, PHL-OTP-00090270.
[191] GoPHL, PHL-OTP-00090278; Rappler, PHL-OTP-00090264.
[192] President of the Philippines, Executive Order No. 292, 25 July 1987, 7 June 2002, PHL-OTP-00090266 at 0029, book IV, title III chapter 1; GoPHL, PHL-OTP-00090268; Philippine Republic Act No. 10575, 23 July 2012, PHL-OTP-00090432 at 0002, Section 8; PhilStar, PHL-OTP-00090272.
[193] GoPHL, PHL-OTP-00090268; Congress of the Philippines, Republic Act No. 9165, 7 June 2002, PHL-OTP-0017-4870 at 0035-0036, article IX, section 78.
[194] Rappler, PHL-OTP-0005-1484 at 0001-0002; HRW, PHL-OTP-0003-0662 at 0102.
[195] ABS-CBN, PHL-OTP-00090274; Rappler, PHL-OTP-0003-1478 at 0012.
[196] Article 18 Decision, para. 68; [REDACTED], PHL-OTP-00099943-R01 at 0011, 0015-0016, lines 335-338, 496-526; AI, PHL-OTP-0003-1004 at 1035-1036.
[197] [REDACTED].
[198] [REDACTED] at 0017, paras. 59-60; [REDACTED], PHL-OTP-00088616-R01 at 0003, para. 15, PHL-OTP-00088554-R01 (Translation PHL-OTP-00088616-R01 at 0002, paras. 11-12, 0004, para. 15); Inquirer, PHL-OTP-00091897 at 0001-0003.
[199] *See above* para. 7. *See below* paras. 54-56, 59.

members of the DDS to "neutralise" criminals, including drug dealers,[200] and provided them with the funds, weapons and other resources to do so.[201] Police and other DDS perpetrators understood the words "neutralise" and "eliminate" to mean "kill".[202] **DUTERTE** also instructed DDS perpetrators to use other violent crimes such as rape and torture to force the confessions of alleged criminals by making them "suffer".[203]

42. *Second*, while Mayor, **DUTERTE** made public statements outlining the Common Plan. In televised interviews he promised to protect Davao City police involved in killings and announced that shoot-to-kill orders were "legitimate tools of government" to fight lawlessness.[204] During a 2015 interview, **DUTERTE** claimed to have a "list" from PDEA of individuals suspected of involvement in drug activities, which he described as an "Order of Battle", and warned that drug dealers had 48 hours to "get out" of Davao City or "I will tell the police to shoot you": "if I see you, I will kill you".[205] In a 27 April 2016 speech, he said that if "someone comes in to sell *shabu*, do not wait until your families will be destroyed. If there is *shabu*, kill them. I am the one who gave the order".[206] He repeatedly bragged in public *fora* that he maintained law and order in Davao City by killing criminals.[207]

43. *Third*, during his presidential campaign, **DUTERTE** announced his intention to implement the Common Plan to "neutralise" alleged criminals nationwide if elected: "That means killings".[208] He vowed to tell police to "go out and kill" criminals and those involved in drug-related offences.[209] On multiple occasions, **DUTERTE** expressly outlined the Common Plan publicly, saying that he would "stop drugs and crime, criminality in three to six months"

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[200] P-0002, PHL-OTP-00015501-R01 at 0002, lines 2-38; [REDACTED] at 0003, lines 47-55.
[201] [REDACTED] at 2620, lines 477-495; P-0002, PHL-OTP-00015501-R01 at 0002, lines 14-21, PHL-OTP-00015502-R01 at 0007-0008, lines 183-258, PHL-OTP-00015520-R02 at 0012, lines 395-408; [REDACTED] at 0004, lines 82-86; [REDACTED] at 9248, 9250-9251.
[202] *See e.g.* P-0002, PHL-OTP-00015502-R01 at 0005, line 125; [REDACTED] at 0011, lines 345-346.
[203] P-0002, PHL-OTP-00015508-R01 at 0014, lines 503-515. *See also* P-0002, PHL-OTP-00015508-R01 at 0003, lines 50-57, PHL-OTP-00015509-R02 at 0004, lines 128-139.
[204] Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000285 (Transcript PHL-OTP-00000840; Translation PHL-OTP-00000848 at 0002, lines 12-13); Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000354 (Transcript PHL-OTP-00001679; Translation PHL-OTP-00001682 at 0002, lines 4-5, 7-8).
[205] Video of DUTERTE's Interview, 26 October 2015, PHL-OTP-00000306 (Transcript PHL-OTP-00000847; Translation PHL-OTP-00000855 at 0002, lines 2-13); SunStar, PHL-OTP-00000368 (Translation PHL-OTP-00000409 at 0001).
[206] Video of DUTERTE's Speech, 27 April 2016, PHL-OTP-00100756 (Transcript PHL-OTP-00250331; Translation PHL-OTP-00250376 at 0002, lines 2-4).
[207] GMA, Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000285 (Transcript PHL-OTP-00000840; Translation PHL-OTP-00000848 at 0002, lines 12-13); Rappler, Video of DUTERTE's Speech, 11 March 2016, PHL-OTP-00000277 (Transcript PHL-OTP-00001121; Translation PHL-OTP-00001123 at 0006-0007, lines 215-222).
[208] Video of DUTERTE's Speech, 27 November 2015, PHL-OTP-00000309 (Transcript PHL-OTP-00001122; Translation PHL-OTP-00001124 at 0004, lines 117-122).
[209] Rappler, Video of DUTERTE's Speech, 11 March 2016, PHL-OTP-00000277 (Transcript PHL-OTP-00001121; Translation PHL-OTP-00001123 at 0009, lines 343-345). *See also* CNN, PHL-OTP-0003-0037 at 0039.

because "I will tell the police and military, go out and kill them. Period".[210] **DUTERTE** spoke publicly about how, should he become President, the number of criminal suspects killed "will become 100,000" and the fish in Manila Bay will "become fat, because that's where I will throw you".[211] In a 1 November 2015 television interview, he said about "druggies": "In Davao, I will really kill you. If I become president, you will all get wiped out. I will order your execution within 24 hours".[212] **DUTERTE** made so many of these statements during his Presidential campaign that the Co-Perpetrators, by accepting a lead role in **DUTERTE**'s administration that was key to the implementation of this plan, signalled their continued (or, in the case of ALBAYALDE, new) agreement to the Common Plan.[213] For example, despite knowing that the "statements of the President" were inconsistent with "the rules of law",[214] ALBAYALDE accepted the position of Regional Director of the NCRPO, and later, **DUTERTE**'s PNP Chief.

44. *Fourth*, in around May and June 2016, in the lead-up to his inauguration, **DUTERTE** and his Co-Perpetrators met, prepared and coordinated so as to be instantly ready to roll out the Common Plan nationwide.[215] Witnesses refer to a series of meetings in May and June 2016:

- In May 2016, [REDACTED], **DUTERTE** [REDACTED] expand the Davao model to the national level.[216] [REDACTED] **DUTERTE**, DELA ROSA, LAPEÑA, Bong GO and others in Davao City to: "help in implementing the War on Drugs on a national scale by replicating the Davao Template [which] refers to the killings and

[210] Rappler, Video of DUTERTE's Speech, 11 March 2016, PHL-OTP-00000277 (Transcript PHL-OTP-00001121; Translation PHL-OTP-00001123 at 0006, 0009, lines 215-217, 342-345). *See also* Associated Press ("AP"), Video of DUTERTE's Speech, 3 May 2016, PHL-OTP-00000303 (Transcript PHL-OTP-00000846; Translation PHL-OTP-00000854 at 0002, lines 3-5); Reuters, PHL-OTP-0003-0124 at 0125.
[211] Video of DUTERTE's Interview, PHL-OTP-00000300 (Transcript PHL-OTP-00000845; Translation PHL-OTP-00000853 at 0002, lines 29-32). *See also* Metro, PHL-OTP-0003-0041 at 0041; Inquirer, PHL-OTP-0003-1290 at 1291; PhilStar, PHL-OTP-0003-1303 at 1303.
[212] Video of DUTERTE's Interview, 1 November 2015, PHL-OTP-00000363 (Transcript PHL-OTP-00001680; Translation PHL-OTP-00001684 at 0002-0003, lines 2-7, 80-83). As set out below, although **DUTERTE** occasionally sought to clarify his remarks to suggest that he did not support extrajudicial killing, these clarifications were not genuine and did not reflect **DUTERTE**'s intent, *see below* para. 93.
[213] *See above* paras. 12, 20.
[214] [REDACTED] at 0016-0017, lines 542-550.
[215] [REDACTED] at 0053-0055, lines 1826-1930; Rappler, Video of CASCOLAN's Interview, PHL-OTP-00001485 (Transcript PHL-OTP-00015384; Translation PHL-OTP-00015389 at 0002-0003, lines 18-46).
[216] [REDACTED] at 0008-0010, 0019-0021, lines 245-318, 636-706, [REDACTED] at 0002, lines 34-37, [REDACTED] at 0001-0002, paras. 6-12, [REDACTED] at 0041, lines 1441-1461; [REDACTED] at 0002, para. 6.

reward system for the killings."[217] [REDACTED],[218] [REDACTED] "can discreetly implement the drug war."[219]

- In June 2016, [REDACTED] concluded "what they want is to kill willingly the drug suspect….because that was already the guidance of the president even during the campaigns, that he will kill all the drug addicts."[220] [REDACTED].[221] [REDACTED].[222] [REDACTED] a multi-government agency task force to implement the anti-drug operations "that would […] apprehend suspects and deliver them to trial"[223] but following consultations, the task force proposal was rejected by **DUTERTE** and others, and instead the PNP would be the "lead agency on the implementation of the drug war" which would be based on the "Davao template."[224] Based on his understanding of law enforcement in Davao City, where "suspects are summarily executed", [REDACTED] the Davao template as "somewhat like swift street justice, wherein suspects […] will not see court."[225] [REDACTED] another June 2016 meeting at which [REDACTED], a diagram identifying "drug personalities" in BuCor prisons, and stated that anti-drug operations in these facilities would include "eliminations".[226]

45. In an interview on 3 June 2016, DELA ROSA promised that they would "immediately" implement a "scaled up" version of the Davao model: "If someone fights back, they'll die. If nobody fights back, we'll make them fight back": "Produce blood. Instill fear".[227] [REDACTED] multiple meetings between [REDACTED] and the Co-Perpetrators in around

[217] [REDACTED] at 0001-0002, paras. 5-10, [REDACTED] at 0015, 0055-0056, 0097, lines 490-494, 1892-1933, 3341-3355; [REDACTED] at 0041-0042, lines 1441-1514, [REDACTED] at 0002, para. 13, [REDACTED] at 0021-0024, lines 712-832; [REDACTED] at 0009-0010, lines 278-317.
[218] [REDACTED] at 0007, lines 183-196; PNP, PHL-OTP-00000209-R01 at 0003.
[219] [REDACTED] at 0022-0024, lines 762-832.
[220] [REDACTED] at 0005-0011, lines 125-328. *See also* [REDACTED] at 0024-0025, lines 837-877.
[221] [REDACTED] at 0008, 0012-0017, 0019-0021, lines 221-249, 396-694, PHL-OTP-00088153-R01 at 0008-0011, 0018, 0021-0022, lines 243-361, 600-626, 724-740, PHL-OTP-00088154-R01 at 0002, 0015, 0022-0025, lines 20-29, 476-480, 754-863; [REDACTED] at 0080, 0083, lines 2742-2743, 2759-2771, 2872-2876; [REDACTED] at 0026-0027, lines 883-912, 932-933; PNP, PHL-OTP-00095550 at 0061, 0066, 0075.
[222] [REDACTED], PHL-OTP-00088152-R01 at 0008-0009, 0012-0022, 0024-0025, lines 221-242, 399-731, 827-838, PHL-OTP-00088153-R01 at 0009-0010, 0018-0019, lines 290-337, 625-658; [REDACTED] at 0024-0025, lines 837-877.
[223] [REDACTED] at 0024-0025, lines 827-838.
[224] [REDACTED], PHL-OTP-00088152-R01 at 0025-0027, lines 848-912, PHL-OTP-00088153-R01 at 0002, 0013, lines 61-68, 408-413.
[225] [REDACTED], PHL-OTP-00088153-R01 at 0002-0006, lines 34-169.
[226] [REDACTED] at 0002-0005, 0010, lines 33-116, 300-317.
[227] Video of DELA ROSA's Interview, 3 June 2016, PHL-OTP-00015285 (Transcript PHL-OTP-00016133; Translation PHL-OTP-00016403 at 0006-0008, 0012, 0022).

May and June 2016,[228] explained that **DUTERTE**'s objective in using the Davao model was "to shortcut the justice system".

46. On 1 July 2016, the same day that **DUTERTE** appointed DELA ROSA as PNP Chief, DELA ROSA issued a pre-drafted CMC No. 16-2016, formally launching the anti-illegal drugs campaign nationwide in express pursuance of **DUTERTE**'s campaign promises.[229] CMC No. 16-2016 set out Project "Double Barrel", which was modelled after Davao City's policing strategy and directed at the "neutralization of illegal drug personalities nationwide".[230] While it referred to the need to respect the rights of those subject to operations,[231] [REDACTED] witnesses describe how the term "neutralize" was both intended and understood to encompass killings.[232]

47. *Fifth*, throughout his presidency, **DUTERTE** and other high-level officials in his administration repeatedly confirmed the existence and scope of the Common Plan through public statements, including those which promised, endorsed or supported the killing of alleged criminals.[233] For example, on the same day he was inaugurated President, **DUTERTE** told a crowd in Tondo, Manila: "These sons of bitches are destroying our country […] I am begging you, stay away from it because I will really kill you". He directly appealed to the public to carry out killings themselves: "why don't you be the ones to kill. If it's someone's child, be the killer yourself. If someone's child is the addict, you be the one to kill so it won't hurt too much".[234]

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[228] [REDACTED] at 0028-0029, lines 952-991.
[229] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0259. *See above* para. 13.
[230] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0259-0260.
[231] *See e.g.* PNP, CMC No. 16 – 2016, PHL-OTP-0005-0259 at 0263, para. (c), 0275, para. (e).
[232] [REDACTED] at 0011, lines 345-349; [REDACTED] at 0015-0018, 0036, 0096-0097, lines 515-521, 537-626, 1237-1239, 3322-3327; [REDACTED] at 0008, 0026-0027, 0030, lines 255-258, 903-906, 924-944, 1030-1039, [REDACTED] at 0004-0005, lines 106-142; P-0002, PHL-OTP-00015501-R01 at 0003, lines 49-51, PHL-OTP-00015502-R01 at 0005, lines 124-129, PHL-OTP-00015508-R01 at 0022, lines 785-788, PHL-OTP-00015535-R01 at 0003-0004, lines 78-86; [REDACTED] at 0024-0025, lines 771-773, 804-812, [REDACTED] at 0003-0004, lines 61-78; [REDACTED], PHL-OTP-00088633-R01 at 0022-0023, 0029, lines 750-768, 979, PHL-OTP-00088635-R01 at 0013, lines 416-420; [REDACTED], PHL-OTP-00088764-R01 at 0028, lines 937-943; [REDACTED] at 0009-0010, 0018-0019, 0026, lines 298-304, 623-629, 877-883, [REDACTED] at 0005, lines 123-127, [REDACTED] at 0011, lines 334-335, [REDACTED] at 0004, 0006-0008, 0010-0011, lines 95-110, 175-211, 243-244, 330-343; [REDACTED] at 0006-0007, lines 156-173; [REDACTED] at 0023, lines 850-855, [REDACTED] at 0028, lines 1039-1042, [REDACTED] at 0008, lines 267-271.
[233] *See e.g.* Video of DELA ROSA's Interview, 3 June 2016, PHL-OTP-00015285 (Transcript PHL-OTP-00016133; Translation PHL-OTP-00016403 at 0006-0008); Video of DELA ROSA's Interview, 22 July 2016, PHL-OTP-00015288 (Transcript PHL-OTP-00015603; Translation PHL-OTP-00015613 at 0003 lines 66-68); Video of AGUIRRE's Speech, 1 February 2017, PHL-OTP-00001460 (Transcript PHL-OTP-00014861; Translation PHL-OTP-00014867 at 0002, lines 2-6); PDEA, PHL-OTP-0003-2623 at 2623, 2625-2626.
[234] PCOO Video of DUTERTE's Speech, 30 June 2016, PHL-OTP-00089087 (PCOO Transcript PHL-OTP-00000339; Translation PHL-OTP-00000518 at 0003, 0005); Guardian, PHL-OTP-0003-0101 at 0002; Endevr, PHL-OTP-00100577 (Transcript PHL-OTP-00100577; Translation PHL-OTP-00235863 at 0004-0005, lines 57-78).

[REDACTED].[235] Similarly, in a speech to self-confessed drug addicts a month after his appointment as PNP Chief, DELA ROSA told the crowd to kill drug lords and burn their houses for having made them addicted to *shabu* (methamphetamine).[236] Co-Perpetrator AGUIRRE said the new administration's "programme" was "to do everything to stop drugs, crimes, and corruption"—"we will choose to kill these drug lords".[237]

48. *Sixth*, the Co-Perpetrators repeatedly and publicly justified violence against suspected criminals. **DUTERTE** asserted that drug dealers were destroying families and the youth, linked drug users to violent crime (often rape) and said that *shabu* shrinks the brain such that users cannot be rehabilitated.[238] He frequently inflated the number of drug addicts in the Philippines,[239] claimed that the Philippines was at risk of becoming a "failed state" due to the drug "problem",[240] and referred to drug users and dealers as "beasts" or "animals" in apparent attempts to dehumanise them and incite fear in the public.[241] Other Co-Perpetrators also used hyperbole and dehumanising language to incite fear and hatred against the targeted population: for example, LAPEÑA claimed that half of the country's *barangays* were "plagued by the drug

[235] *See below* [REDACTED].
[236] ANC, Video of DELA ROSA's Interview, 25 August 2016, PHL-OTP-00000288 (Transcript PHL-OTP-00000841; Translation PHL-OTP-00000849 at 0002, lines 7-11); PhilStar, PHL-OTP-0003-1334 at 1334.
[237] Al Jazeera, Video of AGUIRRE's Interview, 23 August 2016, PHL-OTP-00089078 (Transcript PHL-OTP-00090340 at 0002, 0009, lines 35-37, 310-319).
[238] *See e.g.* PCOO Video of DUTERTE's Speech, 30 June 2016, PHL-OTP-00090741 (PCOO Transcript PHL-OTP-0003-3291 at 3292); PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0003-0004); PCOO Video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0003, 0008); PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0008); PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0006); PCOO Video of DUTERTE's Speech, 24 July 2017, PHL-OTP-00090711 (PCOO Transcript PHL-OTP-0001-3870; Translation PHL-OTP-0001-4350 at 4357).
[239] For example, the Dangerous Drugs Board's survey found there were 1.8 million drug *users* in the Philippines, while DUTERTE variously asserted that there were 3 or 4 million drug *addicts: see* PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0004); PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0008); PCOO Video of DUTERTE's Speech, 25 July 2016, PHL-OTP-00089146 (PCOO Transcript PHL-OTP-00000264; Translation PHL-OTP-00000335 at 0018); PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0006); PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0260; [REDACTED], PHL-OTP-00250473-R01 at 0017, para. 52. *See also* [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0015, 0018, lines 517-521, 638-644.
[240] PCOO Video of DUTERTE's Speech, 12 December 2016, PHL-OTP-00089508 (PCOO Transcript PHL-OTP-00020766; Translation PHL-OTP-00091665 at 0002).
[241] PCOO Video of DUTERTE's Speech, 24 July 2017, PHL-OTP-00090711 (PCOO Transcript PHL-OTP-0001-3870; Translation PHL-OTP-0001-4350 at 4352); PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0012).

menace",[242] while AGUIRRE told reporters that "the criminals […] the drug lords, drug pushers […] they are not humanity".[243]

49. *Seventh*, the Co-Perpetrators employed words and imagery encouraging aggression and violence against alleged criminals. For example, the name of the anti-illegal drugs campaign "Double Barrel" evoked a double-barrel shotgun, suggesting to law enforcement personnel that they should employ a lethal approach in implementing CMC No. 16-2016.[244] The term *"Tokhang*"—a *portmanteau* derived from the Visayan "*toktok-hangyo*", meaning "knock-plea" in English[245]—evoked the word "*tok*-bang" (signifying the pulling of a trigger of a gun), which became "lingo" amongst some police, meaning that police "would knock on the door" (*tok*) and once the door was opened, the police would go "bang".[246] Co-Perpetrators published photographs of the dead bodies of slain drug suspects in their public reporting,[247] alongside images of their subordinates in battle gear holding weapons.[248] Overall, the message conveyed to law enforcement personnel and the public was that alleged criminals would be—and deserved to be—killed.

50. *Eighth*, the Common Plan is also evidenced by the fact that some Co-Perpetrators were personally involved in ensuring impunity or rewards for some of the charged crimes. For example, when police did not [REDACTED].[249] [REDACTED],[250] [REDACTED] that Albuera Mayor Rolando ESPINOSA ("ESPINOSA") had been killed in Incident 13 before a reward was paid to the perpetrators.[251] Upon **DUTERTE**'s orders, DELA ROSA reinstated the police who killed ESPINOSA and YAP.[252]

51. *Ninth*, the Common Plan is evidenced by the public reporting of Co-Perpetrators and the State bodies they controlled.[253] The deaths of 3,967 "drug personalities" in anti-drug operations

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[242] PDEA, PHL-OTP-0003-2727.
[243] Video of AGUIRRE's Speech, 1 February 2017, PHL-OTP-00001460 (Transcript PHL-OTP-00014861; Translation PHL-OTP-00014867 at 0002, lines 2-6).
[244] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0259-0260; [REDACTED], PHL-OTP-00088633-R01 at 0013, lines 434-444; [REDACTED], PHL-OTP-00016978-R01 at 0010, lines 289-320.
[245] Department of Interior and Local Government ("DILG"), PHL-OTP-00000140_R01 at 0015.
[246] [REDACTED], PHL-OTP-00090404-R01 at 0026, lines 827-844, PHL-OTP-00090405-R01 at 0002-0003, lines 30-39.
[247] *See e.g.* PDEA, PHL-OTP-00036900 at 0043.
[248] *See e.g.* PDEA, PHL-OTP-00036900 at 0001, 0028-0029.
[249] [REDACTED].
[250] [REDACTED].
[251] [REDACTED] at 0057-0060, lines 1968-2112, [REDACTED] at 0004-0005, para. 25.
[252] Video of DELA ROSA's Interview, 26 July 2017, PHL-OTP-00015279 (Transcript PHL-OTP-00015279; Translation PHL-OTP-00015743 at 0002, lines 7-15). *See also* Video of DELA ROSA's Interview, 26 July 2017, PHL-OTP-00015276 (Transcript PHL-OTP-00015618; Translation PHL-OTP-00015620 at 0002, lines 8-19).
[253] [REDACTED], PHL-OTP-00250473-R01 at 0022, 0024, paras. 77, 81.

were cited as one of **DUTERTE**'s "key accomplishments" in his administration's 2017 report.[254] Similarly, in the PNP's 2016 Annual Report, DELA ROSA lauded the "notable accomplishments" of police with tables tallying suspects arrested or "killed" in various types of police operation.[255]

52. *Finally*, the existence of the Common Plan is further demonstrated by the fact that the crimes followed the same patterns and *modus operandi*,[256] showing deliberate, planned and coordinated action. That this action was criminal is reinforced by the fact that perpetrators routinely took steps to mask the extrajudicial nature of the killings.[257]

iii. DUTERTE and his Co-Perpetrators controlled a structure of power and the will of the individuals who perpetrated the crimes

53. **DUTERTE** and his Co-Perpetrators used different structures of power in each period to perpetrate the crimes: the DDS in the Mayoral period; and the National Network in the Presidential period.[258] During both periods, **DUTERTE** and his Co-Perpetrators controlled the will of the individuals who perpetrated the crimes.

a) The Mayoral period: the DDS

54. During the Mayoral period, **DUTERTE** and his Co-Perpetrators used police from Davao City and non-police hitmen (together, the DDS) to kill alleged criminals. By means of their *de jure* and/or *de facto* authority, one or more of the Co-Perpetrators controlled a structure of power that enabled them to control the will of the physical perpetrators.

55. As Mayor, **DUTERTE** was chief executive of the Davao City government, with responsibility for exercising general supervision and control over all its activities.[259] **DUTERTE** also had formal "operational supervision and control" over the police units in his jurisdiction,[260] including "the power to direct, superintend, and oversee the day-to-day functions of police investigation of crime", the "employment and deployment of units or

[254] PCOO, PHL-OTP-0003-3355 at 3379.
[255] PNP, PHL-OTP-00017571 at 0029-0030.
[256] *See below* paras. 113-115.
[257] *See e.g.* [REDACTED] at 0645-0646, para. 102; [REDACTED], PHL-OTP-00002236-R02 at 0010-0011, para. 28; [REDACTED] at 0017-0020, lines 565-684.
[258] *See below* paras. 54-66.
[259] Philippine Republic Act No. 7160, 10 October 1991, PHL-OTP-00000259 at 0167-0172, Section 444.
[260] Philippine Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3329, Section 51, as amended by Philippine Republic Act No. 8551, 25 February 1998, PHL-OTP-0009-0143 at 0162-0163, Sections 62 and 63. *See also* Philippine 1987 Constitution, PHL-OTP-0005-2102 at 2165, Article XVI, Section 6.

elements of the PNP" via the station commander, as well as the power to choose the Davao City Police Chief.[261] [REDACTED] witnesses stated that **DUTERTE** *in fact* had control over the police in Davao City.[262] Other Co-Perpetrators played key roles in this formal structure of power: for example, DELA ROSA and then DANAO, as DCPO Chief, had operational command of Davao City police who were in the DDS.[263]

56. The DDS also had a hierarchical structure, with **DUTERTE** at the top.[264] Under **DUTERTE** were a combination of the Co-Perpetrators (namely, DELA ROSA (2012-2013), DANAO (2013-2016), and Bong GO) and Sonny BUENAVENTURA ("BUENAVENTURA"),[265] who relayed orders and reports between **DUTERTE** and the handlers of the DDS teams.[266] At the bottom were the DDS members who physically carried out the crimes (generally non-police hitmen or low-level police), who were subordinated to police or *barangay* handlers.[267]

57. **DUTERTE**'s clearance was required for DDS members to conduct killings in Davao City.[268] Sometimes a *jetto* (informant) would provide information on a target and the specific DDS team's police or *barangay* handler would seek clearance from **DUTERTE** to kill the target through one of the Co-Perpetrators. On other occasions, **DUTERTE** himself would provide the target's name, which would often be communicated by one of the Co-Perpetrators to a handler.[269]

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[261] Philippine Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3329, Section 51, as amended by Philippine Republic Act No. 8551, 25 February 1998, PHL-OTP-0009-0143 at 0162-0163, Sections 62-63.
[262] [REDACTED] at 2632, lines 897-902; P-0002, PHL-OTP-00015508-R01 at 0010, lines 340-353; [REDACTED] at 0019, para. 77; [REDACTED] at 0016, lines 530-540.
[263] Philippine Republic Act No. 8551, 25 February 1998, PHL-OTP-0009-0143 at 0144-0145, Section 5.
[264] P-0002, Organigram of the DDS, PHL-OTP-0001-3619 at 3806. *See also* Annex D.1: Davao Death Squad (DDS) (2001-2016) - Analysis of PHL-OTP-0001-0304 ([REDACTED]) and PHL-OTP-0001-3619 (P-0002) ("Annex D.1").
[265] A Davao City police officer, who was DUTERTE's driver and bodyguard: [REDACTED] at 0006, lines 148-155; PNP, PHL-OTP-00000186.
[266] [REDACTED] at 2712-2713, lines 686-734; P-0002, PHL-OTP-00015507-R02 at 0008, lines 265-267, PHL-OTP-00015508-R01 at 0008, lines 257-258, PHL-OTP-00015515-R01 at 0017-0018, lines 581-593, 607-632; [REDACTED] at 0016, lines 528-539.
[267] P-0002, Organigram of the DDS, PHL-OTP-0001-3619 at 3806. *See also* [REDACTED] at 2614, lines 291-294, 2622, lines 548-553, [REDACTED] at 2660-2661, lines 709-722; P-0002, PHL-OTP-00015507-R02 at 0006, lines 161-163; [REDACTED] at 9249, 9260.
[268] [REDACTED] at 2630-2632, lines 822-902; P-0002, PHL-OTP-00015507-R02 at 0007, lines 216-223; [REDACTED] at 9252, [REDACTED] at 0033-0035.
[269] [REDACTED] at 2712-2713, lines 686-734, [REDACTED] at 0002, lines 2-20; P-0002, PHL-OTP-00015508-R01 at 0008, lines 255-260, PHL-OTP-00015515-R01 at 0018-0019, lines 653-657, PHL-OTP-0002-0039-R01 at 0045-0046; [REDACTED] at 0005, lines 116-126.

58. **DUTERTE** and his Co-Perpetrators used the DDS, including its low-level members, as tools to commit the crimes encompassed by the Common Plan. The Co-Perpetrators' power over the physical perpetrators was such that the latter felt they had no choice but to obey.

59. The Co-Perpetrators recruited individuals they could trust and control for the DDS, with **DUTERTE** [REDACTED].[270] [REDACTED] recruited in circumstances in which [REDACTED].[271] [REDACTED].[272] Similarly, one of P-0002's first interactions with **DUTERTE** occurred in 1985 after P-0002, then a junior police officer, accidentally killed a Philippine Constabulary soldier. **DUTERTE**, a prosecutor at the time, ensured that the criminal case against P-0002 was dismissed, before telling P-0002 that when he became Mayor, he would create his own unit, for which P-0002 would be a "prime recruit".[273]

60. DDS physical perpetrators over whom the Co-Perpetrators had control were fungible within the apparatus. Those who did not follow orders risked "getting killed [them]selves, pursued and killed"[274] and were disposed of when perceived as opposing or posing a threat to the Common Plan, however insignificant.[275] [REDACTED].[276] [REDACTED].[277] [REDACTED].[278] [REDACTED].[279] [REDACTED].[280] P-0002 described how his "blind obedience and loyalty to Mayor DUTERTE"[281] [REDACTED].[282]

b) The Presidential period: the National Network

61. During **DUTERTE**'s presidential campaign and the transition period after he was elected, the Co-Perpetrators agreed to expand the Common Plan to 'neutralise' alleged criminals through violent crimes including murder across the Philippines.

62. When **DUTERTE** became President on 30 June 2016, he had *de jure* and *de facto* control over the PNP, PDEA and all other agencies implementing the Common Plan

[270] [REDACTED] at 0002-0003, lines 25-55.
[271] On the role of debts of gratitude in Philippine society, *see* International Journal of Education and Humanities, PHL-OTP-00091904 at 0015; Social Ethics Society Journal, PHL-OTP-00091907 at 0015-0016.
[272] [REDACTED] at 2558-2560, lines 289-374, [REDACTED] at 2590, lines 449-459.
[273] P-0002, PHL-OTP-00015506-R01 at 0015-0018, lines 506-657.
[274] [REDACTED] at 2630-2631, lines 847-863. *See also* P-0002, PHL-OTP-00015508-R01 at 0008, lines 261-271.
[275] HRW, PHL-OTP-0003-0886 at 0918.
[276] [REDACTED] at 0004, lines 86-88.
[277] [REDACTED] at 0002-0009, lines 33-262.
[278] [REDACTED] at 0004-0011, lines 90-318, [REDACTED] at 0002-0011, lines 2-323, [REDACTED] at 0002-0008, lines 2-230, [REDACTED] at 0006-0007, lines 161-190.
[279] P-0002, PHL-OTP-00015509-R02 at 0012, lines 437-440.
[280] [REDACTED] at 0008-0009, lines 240-245.
[281] [REDACTED] at 0002, lines 24-27.
[282] [REDACTED] at 0021, lines 701-707. *See also* [REDACTED], PHL-OTP-00250473-R01 at 0018, para. 59.

nationwide. **DUTERTE** became the head of state, head of government and commander-in-chief of all armed forces of the Philippines.[283] Under the 1987 Constitution, he was the sole "repository of executive powers",[284] with "control of all the executive departments, bureaus, and offices",[285] as well as "general supervision over local governments".[286] By virtue of his control of the executive, **DUTERTE** was ultimately responsible, *inter alia*, for the PNP (which falls under the Department of Interior and Local Government or "DILG"),[287] PDEA (which falls under the DDB, which itself is part of the Office of the President),[288] and the NBI and BuCor (which falls under the DoJ).[289] Notably, **DUTERTE** was "leader of the country's police forces":[290] while a local chief executive exercises operational supervision over the police and "day-to-day operations", ultimately the PNP "properly comes within, and is subject to, the exercise by the President of the power of executive control".[291]

63. As President, **DUTERTE** had the power, with the consent of the Commission on Appointments, to nominate and appoint the heads of the executive departments and other public ministers,[292] including the power to nominate the Secretary of the Interior and Local Government (who leads the DILG).[293] He had the power to directly appoint key law enforcement officials, including the Chief of the PNP,[294] the Inspector General of the PNP's Internal Affairs Service ("IAS"),[295] the NBI Director,[296] and the Director General of PDEA.[297] Immediately after his inauguration, **DUTERTE** appointed Co-Perpetrators from Davao City to high-level national positions within government and law enforcement: DELA ROSA became PNP Chief; LAPEÑA became Director General of PDEA; Bong GO became **DUTERTE**'s

[283] Republic of the Philippines, 1987 Constitution, PHL-OTP-0005-2102 at 2125, Article VII, Sections 17 and 18.
[284] Supreme Court of the Republic of the Philippines, *Kulayan v. Tan*, GR No 187298, 3 July 2012, ("*Kulayan v. Tan*") PHL-OTP-00000261 at 0004.
[285] Republic of the Philippines, 1987 Constitution, PHL-OTP-0005-2102 at 2125, Article VII, Section 17.
[286] Republic of the Philippines, 1987 Constitution, PHL-OTP-0005-2102 at 2140, Article X, Section 4.
[287] Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3221, Title.
[288] Congress of the Philippines, Republic Act No. 9165, 7 June 2002, PHL-OTP-0017-4870 at 4904, 4909-4910, Sections 78 and 82.
[289] Congress of the Philippines, Republic Act No. 10867, 23 June 2016, PHL-OTP-0009-0169 at 0172-0174, Sections 6 and 7; Philippine Republic Act No. 10575, 23 July 2012, PHL-OTP-00090432 at 0002, Section 8.
[290] *Kulayan v. Tan*, PHL-OTP-00000261 at 0006.
[291] *Kulayan v. Tan*, PHL-OTP-00000261 at 0007. *See also* Supreme Court of the Republic of the Philippines, *Carpio v. Executive Secretary of Local Governments, the Secretary of National Defense and the National Treasurer*, GR No 96409, 14 February 1992, PHL-OTP-00000260 at 0005.
[292] Republic of the Philippines, 1987 Constitution, PHL-OTP-0005-2102 at 2125, Article VII, Section 16.
[293] Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3321, Chapter I, Section 8.
[294] Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321 at 3325, Chapter III, Section 31(d).
[295] Congress of the Philippines, Republic Act No. 8551, 25 February 1998, PHL-OTP-0009-0143 at 0156, Title V, Section 41.
[296] Congress of the Philippines, Republic Act No. 10867, 23 June 2016, PHL-OTP-0009-0169 at 0172-0173, Section 6.
[297] Congress of the Philippines, Republic Act No. 9165, 7 June 2002, PHL-OTP-0017-4870 at 4909-4910, Section 82.

Presidential Special Assistant and Chief of Staff; GIERRAN became Director of the NBI nationwide; and AGUIRRE became SoJ of the Philippines.[298] This gave the Co-Perpetrators authority over hundreds of thousands of personnel from State agencies, through which they established a network of perpetrators comprising law enforcement officers (including personnel from the PNP, PDEA, NBI and BuCor), non-police assets and hitmen (together, "the National Network"), to operate in a similar manner to the DDS in conducting operations to kill alleged criminals. The Co-Perpetrators exercised control over the physical perpetrators via the National Network and carried out killings and other crimes designed to target alleged criminals.[299] Such appointments also allowed the Co-Perpetrators to control potential accountability efforts with respect to crimes committed as part of the Common Plan and ensure impunity.[300]

64. During the Presidential period, **DUTERTE** and his Co-Perpetrators used the National Network, including its low-level members, as tools to commit the crimes encompassed by the Common Plan. In their new geographically expanded roles, the Co-Perpetrators controlled the will of the physical perpetrators through a mechanism that ensured their automatic compliance with their orders. As outlined further below, this mechanism relied upon the Co-Perpetrators' authority over the physical perpetrators through: the chains of command; the recruitment of persons who were loyal and they knew they could control; threats and use of violence to ensure compliance; making use of circumstances in which they could hold something over their subordinates; the supervision and reporting of the operations; and payments and other incentives to the physical perpetrators. As with the DDS in Davao City, the physical perpetrators were fungible within the apparatus and those who did not follow orders risked being killed when perceived as opposing or posing a threat to the Common Plan.

65. In their new roles, the Co-Perpetrators ensured their power and control over the physical perpetrators via various means, in addition to their formal powers.[301] First, they appointed

[298] *See above* in relation to: DELA ROSA: paras. 19(i), 22, 46; LAPEÑA: paras. 19(vii), 37; Bong GO: paras. 19(v), 33; GIERRAN: paras. 19(vi), 35; and AGUIRRE: paras. 19(viii), 40.
[299] *See* Annex G: Governmental Organisational Structure: President Rodrigo ROA DUTERTE (30 June 2016 – 30 June 2022) ("Annex G"); Annex H.1: Philippine National Police (PNP) Organisational Structure under leadership of PNP Chief Ronald MARAPON DELA ROSA (1 July 2016 – 18 April 2018) ("Annex H.1"); Annex H.2: Philippine National Police (PNP) Organisational Structure under leadership of Oscar DAVID ALBAYALDE (19 April 2018 – 14 October 2019) ("Annex H.2").
[300] *See* Annexes G, H.1, and H.2.
[301] *See* Annex G; Annex H.1; Annex H.2, Annex I.1: PNP personnel relevant to charged incidents within [REDACTED] of the Manila Police District (MPD); Annex I.3: PNP personnel relevant to charged incidents within [REDACTED] of the Manila Police District (MPD) ("Annex I.3"); Annex I.4: PNP personnel relevant to charged incidents within the Northern Police District (NPD) ("Annex I.4"); Annex I.6: PNP personnel relevant to charged incidents within the Quezon City Police District (QCPD) ("Annex I.6"); Annex I.8: PNP personnel relevant to charged incidents within the Eastern Police District

subordinates who were already notorious for their involvement in killings in the Davao Region to other parts of the country.[302] Second, as in the Mayoral period, the Co-Perpetrators made use of circumstances in which they could hold something over their subordinates to control their will and ensure their compliance. For example, [REDACTED] described how police officers who were placed on drug lists would become "very aggressive" in operations because they wanted "to prove themselves that they are not involved in drugs".[303] [REDACTED].[304] [REDACTED].[305]

66. The fungibility of low-level perpetrators in the National Network is further demonstrated by the fact that some such individuals were disposed of. For example, [REDACTED], was killed when "police didn't have any more confidence in him".[306] [REDACTED] had to follow the instructions of [REDACTED] he could be killed, like other police who were "suddenly" the victims of riding-in-tandem operations.[307] Even mid-level police recognised that they were replaceable within the apparatus: [REDACTED] said that if he did not kill enough people during police operations, he would lose his post and "be replaced",[308] [REDACTED] "if there were no deaths, or no recorded killings, then he would be relieved of his duty".[309] The handful of prosecutions for high-profile, publicly criticised killings were all directed at low-level perpetrators, further reflecting their fungibility, while higher level members of the National Network were protected from accountability.[310] [REDACTED]—described how senior police, including DELA ROSA and ALBAYALDE, met with the direct perpetrators of [REDACTED] to decide on an approach to "clean the record"; they were not interested in the truth of what happened because: "[W]hat they wanted was to save themselves".[311]

iv. Within the framework of the Common Plan, DUTERTE made an essential contribution to the crimes in Counts 1 to 3

(EPD) ("Annex I.8"); Annex I.10: PNP personnel relevant to charged incidents within the Bulacan Provincial Police Office ("Annex I.10").

[302] *See e.g.* P-0002, PHL-OTP-00015514-R01 at 0009, lines 315-321.

[303] [REDACTED] at 0018-0019, lines 590-599.

[304] [REDACTED] at 0005-0006. *See also* para. 169.

[305] [REDACTED] at 0022-0024, lines 697-782, [REDACTED] at 0008-0011, lines 204-323.

[306] [REDACTED] at 0009, lines 246-250, [REDACTED] at 0010-0017, lines 299-527, [REDACTED] at 0010, lines 290-291.

[307] [REDACTED] at 0029-0030, lines 954-977.

[308] [REDACTED], PHL-OTP-00088773-R01 at 0018, 0022-0023, lines 616, 622, 735-778.

[309] [REDACTED], PHL-OTP-00088946-R01 at 0016, lines 505-513. *See also* [REDACTED] at 0018, lines 561-587.

[310] Article 18 Decision, para. 68 (finding that "the domestic proceedings in the Philippines […] only address the physical, low-ranking perpetrators and at present do not extend to any high-ranking officials").

[311] [REDACTED] at 0006-0011, 0021, lines 150-320, 665-699.

67. Through his conduct outlined below, individually and/or cumulatively, **DUTERTE** made an essential contribution to the implementation of the Common Plan and the commission of the crimes.[312] Without his essential contribution, the crimes would not have been committed, or would have been committed in a significantly different way.[313] This is reflected, for example, in senior police officer [REDACTED] statement that, "without the instruction [of **DUTERTE**] there would be no killing".[314]

a) Designing and disseminating the policy to 'neutralise' alleged criminals (both in his role as Mayor of Davao City, and also during his Presidential campaign and as President), including by endorsing the anti-illegal drugs campaign 'Double Barrel'

68. **DUTERTE** played a key role in designing and disseminating the policy to 'neutralise' alleged criminals, including by endorsing the anti-illegal drugs campaign. His contribution was such that the campaign was widely known as "Duterte's War on Drugs"[315]—and, "Duterte's bloody war on drugs".[316] The evidence upon which the Prosecution relies in support of this contribution is cited throughout this brief.[317]

b) Establishing and overseeing the DDS

69. As noted above, when Mayor of Davao City, **DUTERTE** established the DDS and oversaw it throughout the Mayoral period. In support of this contribution, the Prosecution relies on evidence of former DDS members which is elaborated further in other sections of this brief,[318] as well as **DUTERTE**'s admission of his DDS involvement: "[T]hey say I am the death squad? […] True. […] That's true".[319]

c) Instructing and authorising violent acts including murder to be committed against alleged criminals, including alleged drug dealers and users

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[312] *See Ntaganda* AJ, para. 1041 (noting in relation to the "essential contribution" requirement that, "the contribution of a co-perpetrator which, on its face, is not directly to a specific crime, but to the implementation of the common plan more generally may still suffice.").
[313] *See Ntaganda* AJ, para. 1041; *Bemba et al.* AJ, paras. 820, 825; *Ongwen* TJ, para. 2787.
[314] [REDACTED] at 0071, lines 2433-2453.
[315] *See e.g.* OMCT, PHL-OTP-00000044 at 0009; Los Angeles Times, PHL-OTP-00017636 at 0001; Reuters, PHL-OTP-0003-0199 at 0002.
[316] *See e.g.* Al Jazeera, PHL-OTP-0003-0514 at 0514; Reuters, PHL-OTP-0003-0301 at 0301.
[317] *See e.g.* paras. 7-9, 11-13, 41-48.
[318] *See above* paras. 7-8, 54-60. *See below* paras. 131-146.
[319] Video of DUTERTE's Interview, 24 May 2015, PHL-OTP-00000300 (Transcript PHL-OTP-00000845; Translation PHL-OTP-00000853 at 0002, lines 8-12). *See also* Daily Mirror, PHL-OTP-00174493, PHL-OTP-00174506; Inquirer, PHL-OTP-0003-1290 at 1290.

70. As outlined above, [REDACTED] said that **DUTERTE**'s authorisation was required for the DDS to kill alleged criminals in Davao City.[320] All of the killings in Count 1 were perpetrated by the DDS pursuant to **DUTERTE**'s instruction and authorisation via the DDS hierarchy.[321] **DUTERTE** also instructed and authorised killings during the Presidential period, including through his public statements,[322] for example, during a 5 August 2016 media interview, he said of "this war against the drug": "the orders I gave there were to shoot to kill. I do not care about human rights, believe that".[323]

71. **DUTERTE** ensured that his words were widely reported on and disseminated. According to [REDACTED], he "governed by speaking on media and social media".[324] In addition to the press conferences and interviews **DUTERTE** gave during both periods where he disseminated the Common Plan,[325] during the Mayoral period he hosted a weekly television show, *Gikan sa Masa, para sa Masa* ("*Gikan sa Masa*"),[326] where he infamously authorised and instructed the killings of alleged criminals: "That's my order, and to prevent them from fighting back, shoot to kill".[327] During the Presidential period, **DUTERTE** disseminated his statements through the Presidential Communications Operations Office ("PCOO"), which

[320] [REDACTED] at 2620-2621, 2630-2632, lines 479-540, lines 822-902; P-0002, PHL-OTP-00015507-R02 at 0007, lines 217-220; [REDACTED] at 9249, 9252.
[321] *See below* Count 1, Incidents 1-9.
[322] *See e.g.* paras. 47-48.
[323] DUTERTE's Media Interview, 5 August 2016, PHL-OTP-0007-0256 (Translation PHL-OTP-00095885 at 0002).
[324] [REDACTED], PHL-OTP-00250473-R01 at 0013, para. 33.
[325] *See e.g.* Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000285 (Transcript PHL-OTP-00000840; Translation PHL-OTP-00000848 at 0002, lines 12-24); Video of DUTERTE's Interview, PHL-OTP-00000300 (Transcript PHL-OTP-00000845; Translation PHL-OTP-00000853 at 0002, lines 29-32); Video of DUTERTE's Speech, 27 April 2016, PHL-OTP-00100756 (Transcript PHL-OTP-00250331; Translation PHL-OTP-00250376 at 0002, lines 2-4); Video of DUTERTE's Interview, 1 November 2015, PHL-OTP-00000363 (Transcript PHL-OTP-00001680; Translation PHL-OTP-00001684 at 0002-0003, lines 2-7, 80-83); Video of DUTERTE's Speech, 27 November 2015, PHL-OTP-00000309 (Transcript PHL-OTP-00001122; Translation PHL-OTP-00001124 at 0004, lines 117-121); Rappler, Video of DUTERTE's Speech, 11 March 2016, PHL-OTP-00000277 (Transcript PHL-OTP-00001121; Translation PHL-OTP-00001123 at 0006-0007, lines 215-222); Video of DUTERTE's Speech, 7 July 2016, PHL-OTP-00015326 (Transcript PHL-OTP-00015608; Translation PHL-OTP-00015611 at 0001).
[326] Meaning 'From the Masses, for the Masses' in the Cebuano language.
[327] Video of DUTERTE on *Gikan sa Masa*, 26 January 2014, PHL-OTP-00100652 (Transcript PHL-OTP-00250172; Translation PHL-OTP-00250204 at 0003, lines 61-62). *See also* Video of DUTERTE on *Gikan sa Masa*, 6 April 2014, PHL-OTP-00100645 (Transcript PHL-OTP-00249333; Translation PHL-OTP-00249369 at 0005, lines 142-144); Video of DUTERTE on *Gikan sa Masa*, 1 November 2015, PHL-OTP-00100668 (Transcript PHL-OTP-00250354; Translation PHL-OTP-00250259 at 0003, lines 46-52); Video of DUTERTE on *Gikan sa Masa*, 20 December 2015, PHL-OTP-00100663 (Transcript PHL-OTP-00250353; Translation PHL-OTP-00250258 at 0004, lines 98-104).

uploaded videos and transcripts of his speeches to its website.[328] As its name indicates, the PCOO fell under the President.[329]

72. Insider witnesses said that they looked to **DUTERTE**'s public statements for direction and instruction. According to [REDACTED], Davao City police watched *Gikan sa Masa* for instructions from **DUTERTE** during the Mayoral period.[330] Similarly, [REDACTED] stated that **DUTERTE** delivered his vision to police via "what he sa[id] on national TV" during the Presidential period.[331]

73. [REDACTED] said that Co-Perpetrator LAPEÑA instructed his PDEA subordinates [REDACTED]: "let's all be guided" by "the President's directive".[332] After hearing **DUTERTE**'s electoral campaign promises that he will "kill so many" and "use the police force to do it", PNP anti-illegal drugs operative [REDACTED] told his police team to do what the President said: "we need to eliminate". [333]

74. That members of the National Network looked to **DUTERTE**'s speeches for instruction can also be seen in formal police memoranda. CMC No. 16-2016 noted that it was implementing **DUTERTE**'s pronouncement "to get rid of illegal drugs during the first six months of his term",[334] while CMC No. 17-2017 states that its purpose is to implement **DUTERTE**'s statement of 27 February 2017 directing the PNP to resume responsibility for the formal anti-illegal drugs campaign.[335]

d) Providing personnel and other necessary logistical resources such as weapons including those to be used in the execution of the crimes

75. [REDACTED], in Davao City, **DUTERTE** provided personnel to the DDS by paying DDS hitmen a monthly salary via the Davao City Hall as "ghost employees".[336] **DUTERTE** also provided the DDS with the necessary logistical supplies to perpetrate killings, such as

[328] After DUTERTE's presidency, this office was renamed as the Presidential Communications Office. *See e.g.* GoPHL, PHL-OTP-00015335.
[329] President of the Philippines (AQUINO), Executive Order No. 4, S. 2010, 30 July 2010, PHL-OTP-00249252.
[330] [REDACTED] at 0047-0048, lines 1677-1715. *See also* [REDACTED], PHL-OTP-00250473-R01 at 0013, paras. 32-33.
[331] [REDACTED] at 0023-0024, lines 769-808.
[332] [REDACTED] at 0006, lines 151-156.
[333] [REDACTED] at 0002-0003, lines 29-46, [REDACTED] at 0002-0006, lines 25-143.
[334] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0001.
[335] PNP, CMC No. 17 – 2017, PHL-OTP-00000899 at 0006.
[336] [REDACTED] at 9250. These individuals were on Davao City's payroll but served no regular function. *See e.g.* Davao City Government, PHL-OTP-00001150-R01, PHL-OTP-00001197, PHL-OTP-00000147-R01 at 0010; [REDACTED] at 0030, 0033, [REDACTED] at 0004, lines 73-80.

firearms, ammunition, vehicles, safehouses, gasoline and communications equipment.[337] **DUTERTE** has admitted to using intelligence funds allocated to him as Mayor of Davao City to fund killings.[338] [REDACTED],[339] as well as [REDACTED] witness evidence that their weapons and ammunition were paid for from **DUTERTE**'s intelligence fund.[340]

76. During the Presidential period, **DUTERTE** provided personnel used in the execution of the crimes, as shown *inter alia* by the laws giving him control over State actors in the National Network,[341] and the roles of the agencies under his control (for example, the DILG equipped the police with weapons, which were used in killings).[342] [REDACTED] described how law enforcement officials used standard-issue firearms to commit the killing in Incident 12,[343] while [REDACTED].[344]

e) Appointing key personnel to positions which were crucial to the execution of the crimes

77. As outlined further above, during the Mayoral and Presidential periods, **DUTERTE** used his formal powers to appoint personnel to positions which were crucial to the execution of the crimes.[345] For example, in Davao City, **DUTERTE** appointed DANAO as Davao City Police Chief after DANAO had demonstrated his preparedness to kill.[346] Similarly, in the Presidential period, **DUTERTE** appointed many individuals he knew from Davao City to high-level national positions which allowed him to ensure that the Common Plan would be implemented at the national level.[347] The evidence on which the Prosecution relies in support of this contribution is cited above in the descriptions of the Co-Perpetrators and the establishment of the National Network.[348]

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[337] P-0002, PHL-OTP-00015501-R01 at 0002, lines 14-28, PHL-OTP-00015502-R01 at 0008, lines 226-258, PHL-OTP-00015525-R01 at 0013, lines 445-457; [REDACTED] at 0009-0011, lines 260-315, [REDACTED] at 0006, lines 141-150; HRW, PHL-OTP-0003-0886 at 0941-0942.
[338] Video of DUTERTE's Interview, 10 October 2023, PHL-OTP-00000297 (Transcript PHL-OTP-00000844; Translation PHL-OTP-00000852 at 0002, lines 34-35). *See also* Davao City Government, PHL-OTP-00001197, illustrating the funds from which [REDACTED] came.
[339] [REDACTED], PHL-OTP-00001197.
[340] P-0002, PHL-OTP-00015502-R01 at 0008, lines 226-258.
[341] *See above* paras. 62-66.
[342] DILG, PHL-OTP-0003-3829, point 6.
[343] [REDACTED], PHL-OTP-00088636-R01 at 0030, lines 1005-1010.
[344] [REDACTED] at 0008, lines 224-226. *See also* [REDACTED] at 0014, lines 419-422.
[345] *See also* [REDACTED] at 0023-0025, lines 795-853.
[346] *See above* para. 27.
[347] *See above* para. 63.
[348] *See above* paras. 19-40, 62-63.

f) Offering financial incentives and promotions to police officers and hitmen to kill alleged criminals

78. As Vice Mayor and Mayor of Davao City, **DUTERTE** publicly promised rewards to police for killing alleged criminals.[349] DDS police and some hitmen received financial rewards per head for specific killings, in addition to their salary,[350] which were often distributed from **DUTERTE** via BUENAVENTURA to the handler.[351] One former DDS witness described how the financial rewards made them "more aggressive" because the amount "is so big for us".[352]

79. From at least the time he won the presidential election, **DUTERTE** publicly offered and later provided perpetrators rewards, including financial incentives per killing and promotions for advancing the Common Plan.[353] For example, during a televised speech at his presidential victory party on 4 June 2016, he said: "[w]hat I pay now, if it's a drug lord […] 5 million, especially if dead. If alive, only 4,999,000."[354] [REDACTED] law enforcement personnel who killed an alleged criminal could access a covert reward system (which existed outside of the regular formal rewards system) through which an amount of money was paid depending on the level of the target, up to millions of pesos.[355] [REDACTED], said that it was designed outside of the regular reward system to "motivate" police to conduct more operations[356] and had to be "secret" "to cover" up that killings were tolerated.[357] Similarly, [REDACTED] explained that **DUTERTE** designed this reward system, because: "DUTERTE believed, based on his experience in DAVAO, […] if he will just order the killings without a reward, these police will

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[349] Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000285 (Transcript PHL-OTP-00000840; Translation PHL-OTP-00000848 at 0002, lines 12-24); Video of DUTERTE on *Gikan sa Masa*, 16 November 2014, PHL-OTP-00100659 (Transcript PHL-OTP-00250351; Translation PHL-OTP-00250256 at 0002, lines 26-28); Mindanao Daily Mirror, PHL-OTP-00196621, PHL-OTP-00196338, PHL-OTP-00167113, PHL-OTP-00167127, PHL-OTP-00201593, PHL-OTP-00201605, PHL-OTP-00200354, PHL-OTP-00200369.

[350] [REDACTED] at 2620-2621, lines 482-516, [REDACTED] at 2726, lines 1170-1191; P-0002, PHL-OTP-00015502-R01 at 0002-0003, lines 24-27, PHL-OTP-00015514-R01 at 0002, 0004, 0008, lines 23-25, 88-93, 257-261, PHL-OTP-00015515-R01 at 0008, lines 231-233, PHL-OTP-00015517-R01 at 0002-0003, lines 31-51, PHL-OTP-00015519-R01 at 0004, lines 99-101, PHL-OTP-00015520-R02 at 0008, 0013, lines 233-235, 419-424, PHL-OTP-00015521-R01 at 0005, lines 118-144, PHL-OTP-00015522-R01 at 0002, lines 28-30; [REDACTED] at 0004, lines 93-101, [REDACTED] at 0002, lines 5-25.

[351] [REDACTED] at 2620, lines 479-495; P-0002, PHL-OTP-00015502-R01 at 0003, lines 58-69; [REDACTED] at 0011, lines 355-374.

[352] P-0002, PHL-OTP-00015507-R02 at 0006, lines 170-190.

[353] PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0008-0009).

[354] GMA, Video of DUTERTE's Speech, 4 June 2016, PHL-OTP-00015220 (Transcript PHL-OTP-00015692; Translation PHL-OTP-00015723 at 0005-0006, lines 180-181).

[355] [REDACTED] at 0022, 0024, 0045-0047, lines 747-758, 821-830, 1568-1615. *See also* [REDACTED] at 0016, lines 514-515, [REDACTED] at 0011, lines 326-329; [REDACTED] at 0018-0019, lines 584-641; [REDACTED] at 0042-0045, lines 1509-1607.

[356] [REDACTED] at 0010, lines 310-312.

[357] [REDACTED] at 0036, lines 1227-1234.

hesitate. They will hesitate killing because they know what is right and wrong […] But give them huge amount […] there will be a lot of killings."[358]

80. The funding for rewards included the following sources: (i) public funds appropriated through the national government budget (such as intelligence and confidential funds and other authorised allocations);[359] (ii) leftover electoral campaign funds;[360] (iii) small-town lotteries;[361] (iv) POGOs (Philippine Offshore Gaming Operators);[362] and (v) money extorted from, or donated by, businessmen and drug lords.[363] During the Presidential period, in order to obtain a reward, police had to submit a report indicating that a drug operation had resulted in a killing.[364] This information was then verified by personnel [REDACTED],[365] whom **DUTERTE** put in charge of monitoring police killings.[366] [REDACTED],[367] who arranged for the money to be provided to [REDACTED], distributed it, via persons [REDACTED], to senior commanders in the National Network, especially the PNP,[368] who then distributed it to their operatives.[369]

81. Insider witnesses spoke about having received a reward for killing an alleged criminal during the Presidential period.[370] [REDACTED] said that police were motivated to kill for

[358] [REDACTED] at 0016-0017, lines 548-555, [REDACTED] at 0014, 0032-0033, lines 426-444, 1084-1095, [REDACTED] at 0006-0007, lines 176-192; [REDACTED] at 0065-0066, lines 2129-2184; [REDACTED] at 0034, lines 1192-1195.
[359] Video of DUTERTE's Interview, 10 October 2023, PHL-OTP-00000297 (Transcript PHL-OTP-00000844; Translation PHL-OTP-00000852 at 0002, lines 34-37); P-0002, PHL-OTP-0001-3619 at 3626, para. 19; [REDACTED] at 0001; GoPHL, PHL-OTP-00015250 (Translation PHL-OTP-00019308 at 123-124, 126); PHL-OTP-0008-1676 at 1682.
[360] GoPHL, PHL-OTP-00092152 at 0028, para. 65, PHL-OTP-00015250 (Translation PHL-OTP-00019308 at 0087, 0089); [REDACTED] at 0021, 0028-0029, lines 735-739, 957-998.
[361] GoPHL, PHL-OTP-00014895 at 0006, paras. 35-36. *See also* [REDACTED] at 0036-0037, lines 1243-1270.
[362] GoPHL, PHL-OTP-00014895 at 0007, para. 40; [REDACTED] at 0014-0017, lines 372-517, [REDACTED] at 0014, lines 433-462. *See also* [REDACTED] at 0023, para. 77.
[363] P-0002, PHL-OTP-0002-0192 at 0234; [REDACTED] at 0014-0017, lines 372-517, [REDACTED] at 0014, lines 433-462.
[364] [REDACTED] at 0014-0015, lines 455-487; [REDACTED] at 0019, lines 621-627. *See also* [REDACTED], PHL-OTP-00088635-R01 at 0012-0014, lines 356-357, 384-386, 404-441.
[365] [REDACTED] at 0019, lines 632-647; [REDACTED] at 0003, para. 22, [REDACTED] at 0035-0036, lines 1216-1234.
[366] [REDACTED] at 0019, lines 621-647. *See also* [REDACTED] at 0034, lines 1187-1195.
[367] [REDACTED] at 0036-0037, lines 1235-1278; [REDACTED] at 0025, 0028-0029, lines 866-874, 976-986.
[368] *See below* Incidents 15-16, 19, 20, 23, 39, 42-43, 48, 50-54. Money for rewards was also provided to other agencies, including the PDEA, BuCor, and BJMP. *See* [REDACTED] at 0041, lines 1448-1466.
[369] [REDACTED] at 0017-0018, lines 565-594; [REDACTED] at 0040-0041, lines 1433-1473; [REDACTED] at 0030-0033, lines 1046-1100, 1132-1141. *See e.g.* [REDACTED] at 0004-0006, 0011, lines 99-175, 319, 326-32; [REDACTED] at 0004-0006, 0009-0010, lines 91-163, 253-283.
[370] *See e.g.* [REDACTED] at 0004, lines 101-103; [REDACTED] at 0011-0015, 0035-0042, lines 314-356, 1149-1395; [REDACTED] at 0016-0017, lines 504-525; [REDACTED] at 0013-0016, lines 435-517; [REDACTED] at 0015, lines 446-452. *See also* [REDACTED] at 0014-0015, lines 491-517.

"[m]oney",[371] while [REDACTED] said that "policemen know that whenever there's an EJK,[372] there's a reward".[373] Police officer [REDACTED] described how after the "memo" to "implement the bloody war on drugs" and the orders of **DUTERTE** and DELA ROSA were issued, there was "a competition among the different stations on who could have the most deaths or fatalities".[374]

g) Creating and maintaining a system in which perpetrators knew they would be protected, including through promises of immunity and shielding perpetrators from investigation and prosecution

82. In Davao City, **DUTERTE** created a system where his approval was required for all killings and DDS perpetrators knew that, with this approval, they would never be prosecuted. For example, [REDACTED] knew that he would not be held accountable because **DUTERTE** would "never" ask for the murders to be solved when he had cleared them.[375] [REDACTED] said that DDS perpetrators would not be prosecuted because they were "DUTERTE's men".[376]

83. When running for President and as President, **DUTERTE** made many promises to protect police and others who killed alleged criminals. For example, on his first full day in office, **DUTERTE** gave a speech to police, promising that he would use his new presidential powers to protect police who faced legal charges for mass killings: "if in the process you kill 1,000 persons because you were doing duty and I will protect you."[377] On other occasions, he repeatedly vowed to pardon and promote police involved in killings: "[i]f you do your duty, do not worry about cases, I will protect you, believe me […] if there's somebody who will go to jail, it's me. I will assume full, legal responsibility".[378] He said: "whenever there are police

[371] [REDACTED] at 0015, lines 477-487.
[372] "EJK" is a commonly used abbreviation for extrajudicial killing: [REDACTED] at 0007, lines 206-207, [REDACTED] (Translation [REDACTED] at 0002); PCOO, PHL-OTP-00021736; Rappler, PHL-OTP-0003-1418 at 0002; PhilStar, PHL-OTP-0003-1853 at 0004.
[373] [REDACTED] at 0036, lines 1180-1198.
[374] [REDACTED] at 0018, lines 589-596.
[375] [REDACTED] at 0006, lines 144-159.
[376] [REDACTED] at 0003 at lines 38-40. *See also* [REDACTED], 0004, lines 99-100.
[377] PCOO Video of DUTERTE's Speech, 1 July 2016, PHL-OTP-00089101 (PCOO Transcript PHL-OTP-00000271; Translation PHL-OTP-00000558 at 0008). *See also* Malay Mail, PHL-OTP-0003-0047 at 0047-0048.
[378] PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0004-0005). *See also* PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0010); PCOO Video of DUTERTE's Speech, 13 March 2017, PHL-OTP-00089707 (PCOO Transcript PHL-OTP-0003-3224; Translation PHL-OTP-00015479 at 0016); PCOO Video of DUTERTE's Speech, 14 March 2017, PHL-OTP-00089710 (PCOO Transcript PHL-OTP-0003-3261; Translation PHL-OTP-00015492 at 0016); PCOO Video of DUTERTE's Speech, 15 January 2018, PHL-OTP-00090702 (PCOO Transcript PHL-OTP-0003-3800; Translation PHL-OTP-00015493 at 0004); Inquirer, PHL-OTP-0003-1362 at 1362-1363; Rappler, PHL-OTP-0003-1345 at 1347-1349.

officers involved in an operation, there's no need to investigate anymore. That is my order."[379] **DUTERTE** announced to troops that, "[f]or as long as I am the President, nobody, but nobody—no military man or policeman—will go to prison because they performed their duties well". Signalling that this promise did not only encompass lawful police or military killings, **DUTERTE** continued: "[i]f you massacre one hundred […] you will all be pardoned […] plus a promotion to boot".[380]

84. **DUTERTE** also ordered the reinstatement of police perpetrators. For example, despite acknowledging that "something wrong" happened in the police operation where ESPINOSA and YAP (Incident 13) were killed, DELA ROSA said "I see no reason" not to follow **DUTERTE**'s instruction to reinstate the relevant police.[381]

h) Making public statements authorising, condoning and encouraging killings of alleged criminals, both as Mayor of Davao City and President of the Philippines

85. As outlined throughout this brief, **DUTERTE** frequently made public statements authorising, condoning and encouraging killings of alleged criminals. For example, during his 30 June 2013 swearing-in ceremony for his final term as Mayor, **DUTERTE** announced that: "[t]here will be no let-up in our fight against all forms of criminality" and warned "the drug pushers, drug dealers, drug suppliers and perpetrators of heinous crimes" to "stop or leave" or "you will regret it […] you may not survive your grief. The clock is ticking away the hours for you".[382] During the Presidential period, in a speech to police on 15 January 2018 which was posted on the PCOO website, **DUTERTE** said: "[w]hen I said that you go and destroy the drug industry, destroying means destroying including human life".[383] He proclaimed that, as long as there are drug lords in the Philippines, "this campaign will go on until the last day of my term. Until all of them are killed".[384]

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[379] DUTERTE's Media Interview, 5 August 2016, PHL-OTP-0007-0256 (Translation PHL-OTP-00095885 at 0002).
[380] PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0010); Rappler, PHL-OTP-0003-1345 at 1347.
[381] Video of **DELA ROSA**'s Interview, 26 July 2017, PHL-OTP-00015279 (Transcript PHL-OTP-00015726; Translation PHL-OTP-00015743 at 0002, lines 7-15). *See also* Video of **DELA ROSA**'s Interview, 26 July 2017, PHL-OTP-00015276 (Transcript PHL-OTP-00015618; Translation PHL-OTP-00015620 at 0002).
[382] Davao City Information Office, Video of DUTERTE's Oath-taking as Mayor of Davao City, 30 June 2013, PHL-OTP-00100570 (Transcription PHL-OTP-00236296; Translation PHL-OTP-00237900); Video of DELA ROSA's Interview, 26 August 2016, PHL-OTP-00000288 (Transcript PHL-OTP-00000841; Translation PHL-OTP-00000849 at 0002).
[383] PCOO Video of DUTERTE's Speech, 15 January 2018, PHL-OTP-00090702 (PCOO Transcript PHL-OTP-0003-3800; Translation PHL-OTP-00015493 at 0004).
[384] Video of DUTERTE's Interview, 16 December 2016, PHL-OTP-00000280 (Transcript PHL-OTP-00015596 at 0002, lines 9-10); PhilStar, PHL-OTP-0003-1343 (Translation PHL-OTP-00015623 at 0002).

86. One effect of **DUTERTE**'s public statements on the crimes is seen in the evidence of insider witnesses that they treated such statements as orders and looked to them for direction (described further above).[385] Additionally, the statements also had a more general, emboldening effect on the perpetrators of the crimes. [REDACTED] said that the speeches of **DUTERTE** and his Co-Perpetrators normalised a culture of killing within the PNP.[386] [REDACTED], said that he understood **DUTERTE** to be saying: "instead of these druggies spreading themselves around, just kill them instead".[387]

87. Senior police officer [REDACTED] described some of the language used by **DUTERTE** in his public statements as "doubletalk".[388] Even where **DUTERTE**'s speeches included a reference to self-defence, the physical perpetrators understood that the instruction was to kill alleged criminals regardless of the circumstances. [REDACTED], said that he understood **DUTERTE**'s speeches as "a blessing from above […] that we were allowed to kill", and that references to self-defence were "just for the benefit of the press coverage", which the perpetrators knew because: "in reality […] the subject didn't fight back with us […] [t]here was no occasion where they fought back".[389] [REDACTED] observed that **DUTERTE**'s repeated speeches telling police to encourage criminals to fight were "an instruction from him to the police to manufacture a self-defence scenario in order to carry out a killing that was already pre-planned".[390]

88. Similarly, police perpetrators understood **DUTERTE**'s references to drug suspects possessing guns not to prescribe the killing of targets to circumstances of self-defence, but to mean that the police should plant a gun on their victims. For example, [REDACTED] understood **DUTERTE** to be saying: "if they fight back then shoot them […] If they don't have a gun, then give them a gun. This way, they will have a gun on them".[391] [REDACTED].[392] **DUTERTE** made his meaning clear by, *inter alia*: employing words such as "massacre",[393]

[385] *See above* paras. 70-74.
[386] [REDACTED], PHL-OTP-00236231-R01 at 0020-0022, lines 667-754.
[387] [REDACTED] at 0013-0014, lines 410-439.
[388] [REDACTED] at 0044, lines 1547-1552.
[389] [REDACTED] at 0004-0006, lines 90-171.
[390] [REDACTED], PHL-OTP-00250473-R01 at 0021, para. 70.
[391] [REDACTED] at 0007, lines 202-204.
[392] [REDACTED] at 0008, lines 214-244.
[393] PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0010); Rappler, PHL-OTP-0003-1345 at 1347.

"execution",[394] "slaughter";[395] comparing himself favourably to Hitler;[396] and repeatedly offering more money for a dead drug suspect than a live one.[397]

i) Authorising State actors to take part in the anti-illegal drugs campaign and temporarily revoking such authorisation, including to placate public outcry

89. During the Presidential period, **DUTERTE** twice ordered the temporary withdrawal of police from anti-illegal drug operations: the first time after the high-profile killing of South Korean national JEE Ick-Joo at Camp Crame (from 29 January to 6 March 2017); and the second time after public outcry following the killing of teenager Kian DELOS SANTOS (from 10 October to 4 December 2017).[398] On both occasions, following these temporary withdrawals, the number of reported killings dropped,[399] demonstrating **DUTERTE**'s control over the crimes.[400] For example, from 1 July 2016 until the first suspension on 29 January 2017, research consortium [REDACTED] recorded a "high rate of deaths", [REDACTED] continuing in double digits daily.[401] During the first period of suspension, [REDACTED].[402] [REDACTED].[403] After it had become apparent that the suspension was abating the Common Plan crimes, **DUTERTE** ordered the PNP back into the campaign.[404] When operations were relaunched on 6 March 2017, the [REDACTED] ten people killed that same day.[405]

90. **DUTERTE**'s statements when announcing these suspensions reveal that they were not genuine efforts to prevent crimes, but rather calculated attempts to placate public criticism for political purposes.[406] For example, after the killing of Kian DELOS SANTOS, **DUTERTE**

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[394] Video of DUTERTE on *Gikan sa Masa*, 1 November 2015, PHL-OTP-00100668 (Transcript PHL-OTP-00250354; Translation PHL-OTP-00250259 at 0003, lines 51-52).
[395] PCOO Video of DUTERTE's Speech, 30 September 2016, PHL-OTP-00089361 (Transcript PHL-OTP-00096858; Translation PHL-OTP-00096931 at 0003, line 57).
[396] PCOO Video of DUTERTE's Speech, 30 September 2016, PHL-OTP-00089361 (Transcript PHL-OTP-00089361; Translation PHL-OTP-00096858 at 0003, line 58).
[397] Video of DUTERTE on *Gikan sa Masa*, 16 November 2014, PHL-OTP-00100659 (Transcript PHL-OTP-00250351; Translation PHL-OTP-00250256 at 0002, lines 26-28); GMA, Video of DUTERTE's Speech, 4 June 2016, PHL-OTP-00015220 (Transcript PHL-OTP-00015692; Translation PHL-OTP-00015723 at 0005-0006, lines 180-181); Mindanao Daily Mirror, PHL-OTP-00196621, PHL-OTP-00196338, PHL-OTP-00167113, PHL-OTP-00167127.
[398] Rappler, Video of CASCOLAN's Interview, PHL-OTP-00001488 (Transcript PHL-OTP-00015385; Translation PHL-OTP-00015388 at 0003, lines 52-88); PDEA, PHL-OTP-0003-2556 at 2557, PHL-OTP-0003-2579 at 2580.
[399] [REDACTED] at 0005-0006. *See also* [REDACTED] at 0071-0072, lines 2450-2485.
[400] *See* [REDACTED], PHL-OTP-00240653 at 0004.
[401] [REDACTED] at 0005.
[402] [REDACTED] at 0006.
[403] [REDACTED] at 0006.
[404] President of the Philippines, Executive Order No. 15: Creation of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD) and Anti-Illegal Drug Task Force to Suppress the Drug Problem in the Country, 6 March 2017, PHL-OTP-0005-0415; Reuters, PHL-OTP-0003-0244 at 0244-0246.
[405] [REDACTED] at 0006. *See also* [REDACTED], PHL-OTP-00240653 at 0004, PHL-OTP-00240654 at 0017.
[406] *Bemba* AJ, para. 176.

gave a speech in which he said that by replacing the PNP with the PDEA he hoped to satisfy "bleeding hearts and the media".[407] These suspensions functioned to appease public outrage and ultimately permitted the Common Plan—and the crimes forming part of it—to continue.[408]

j) Publicly naming individuals and holding up charts from lists of alleged criminals, including so-called 'high-value targets', some of whom were subsequently killed

91. On various occasions, **DUTERTE** publicly named specific individuals who he claimed were involved in the illegal drug trade or other forms of criminality.[409] For example, on 7 July 2016, **DUTERTE** gave a press conference where he held up a chart purportedly showing individuals involved in drug syndicates in the Philippines.[410] On 7 August 2016, during a televised press conference at Camp Panacan, Davao City, **DUTERTE** named more than 150 public officials he claimed were involved in the drug trade, including Albuera Mayor ESPINOSA, Ozamiz Mayor PAROJINOG and members of his family.[411] The Presidential Palace subsequently distributed this list, which was published by various media outlets.[412] On 9 January 2017, **DUTERTE** stated publicly that mayors involved in illegal drugs should resign or face death: "[t]hat thick folder I showed you? Find your name there, Mayor. Son of a bitch, if your name is there, you'll have a problem. I will really kill you."[413] Subsequently, various individuals he named were killed, including in Incidents 13 and 14 outlined below.

v. DUTERTE had the intent and knowledge as an indirect co-perpetrator under article 25(3)(a) for all the crimes

92. **DUTERTE** meant to engage in the charged conduct and intended, or was aware, that murder and other violent crimes would be committed in the ordinary course of events as a result of the implementation of the Common Plan. This is evidenced by his countless statements throughout his Mayoral and Presidential tenures promising to reduce crime by killing alleged criminals, promoting the Common Plan, urging police and members of the public to kill alleged

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[407] PCOO Video of DUTERTE's Speech, 12 October 2017, PHL-OTP-00090705 (PCOO Transcript PHL-OTP-00015496; Translation PHL-OTP-00015573 at 0009); Inquirer, PHL-OTP-0003-1864 at 1864-1865.
[408] [REDACTED] at 0073, lines 2519-2528. *See also* [REDACTED], PHL-OTP-00240653 at 0004.
[409] As DUTERTE had done before the charged period in Davao City, *see above* para. 9.
[410] Video of DUTERTE's Speech, 7 July 2016, PHL-OTP-00015326 (Transcript PHL-OTP-00015608; Translation PHL-OTP-00015611 at 0001).
[411] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419 at 0003-0004).
[412] *See e.g.* ABS-CBN, PHL-OTP-0003-1661 at 0001-0004; Rappler, PHL-OTP-0003-2292 at 0001-0005.
[413] PCOO Video of DUTERTE's Speech, 9 January 2017, PHL-OTP-00089637 (PCOO Transcript PHL-OTP-00017648; Translation PHL-OTP-00017690 at 0003).

criminals, and acknowledging both general and specific allegations of extrajudicial killings by his subordinates.[414]

93. Although on some occasions **DUTERTE** or those in his administration purported to clarify his remarks to suggest that he did not support extrajudicial killing, these clarifications were not genuine and did not reflect **DUTERTE**'s intent. *First*, they were inconsistent with the manner in which the Common Plan continued to be implemented on the ground, and the resulting killings. *Second*, **DUTERTE** did not condemn the killings of suspected criminals, or urge law enforcement or the public to refrain from those killings. *Third*, he did not take any concrete action to minimise the crimes. While on two occasions **DUTERTE** suspended police anti-illegal drug operations following public outcry in relation to notorious killings, he soon thereafter reinstated those operations, following which the killings increased again.[415]

94. **DUTERTE**'s intent to commit the crimes in Counts 1-3 is also demonstrated by various factors described above, including that: (i) he espoused and ensured the killing of alleged criminals via the DDS in Davao City, including by organising police and non-police members into the DDS, instructing them on their mission to kill criminals, and giving his approval to the DDS to carry out killings in Davao City;[416] (ii) he provided funding and resources to the DDS to carry out its work;[417] (iii) he publicised his intention to implement the Common Plan nationally if elected President, making it clear that this would entail killing suspected criminals;[418] (iv) he appointed to key national positions persons who had contributed to the Common Plan and the commission of crimes in Davao City, such as DELA ROSA and GIERRAN;[419] (v) following the launch of the formal anti-illegal drugs campaign, he reinforced the underlying message that the implementation of the nationwide anti-illegal drugs campaign would encompass the commission of crimes;[420] and (vi) he vowed to protect police who faced prosecution for killings.[421] [REDACTED],[422] while **DUTERTE** ordered [REDACTED] to "kill" various drug suspects,[423] further reflecting this intent.

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[414] *See above* paras. 12, 42-43, 47-48, 83, 85-88.
[415] *See above* paras. 16-18, 89-90.
[416] *See above* paras. 54-57, 59-60.
[417] *See above* paras. 75, 78.
[418] *See above* para. 43.
[419] *See above* para. 63.
[420] *See e.g.* para. 47.
[421] *See above* para. 83.
[422] [REDACTED] at 0005, lines 119-131.
[423] [REDACTED] at 0003-0004, 0006, lines 47-48, 62-64, 164-165, [REDACTED] at 0015, 0017, 0021, lines 472-491, 569-571, 686-690, [REDACTED] at 0038-0040, lines 1297-1306, 1326-1331, 1344-1354.

95. **DUTERTE**'s awareness that the crimes would be committed in the ordinary course of events as a result of the implementation of the Common Plan, and that the Common Plan involved an element of criminality, is established from the facts showing **DUTERTE**'s intent described above, in addition to the following: **DUTERTE** made a range of public statements in which he directly acknowledged both general and specific allegations of extrajudicial killings by his subordinates;[424] **DUTERTE** issued written orders showing he knew about crimes committed by his subordinates, as well as which of his subordinates were alleged to be most involved in such crimes;[425] **DUTERTE** was put on notice of allegations of crimes committed by PNP personnel and others in the context of the Common Plan in Davao City and nationwide through documentation and reporting by government actors themselves,[426] as well as by non-governmental organisations, international organisations and media outlets.[427] For example, on 25 July 2016, **DUTERTE** referenced the iconic photograph of extrajudicial killing victim Michael SIARON's partner cradling his body, which had been published on the front page of Philippine daily newspaper Inquirer the previous day, demonstrating that from the first month of his presidency **DUTERTE** was already aware that such killings were being perpetrated.[428] **DUTERTE**'s persistence with the Common Plan once on such notice, additionally shows his intent to commit the charged crimes.

96. **DUTERTE**'s awareness of the fundamental features of the DDS and National Network that enabled the Co-Perpetrators to control the will of the physical perpetrators is shown by: **DUTERTE**'s *de jure* and *de facto* authority and control;[429] his role in the DDS and National Network;[430] and his reliance on the work of trusted subordinates to implement the crimes encompassed by the Common Plan.[431] **DUTERTE** expressly acknowledged his position of power over his subordinates on many occasions. For example, during a speech to the NBI he said that: "law enforcers, police, the NBI, PDEA" should "follow my instruction", "because I

[424] *See e.g.* PCOO DUTERTE's Speech, 25 July 2016, PHL-OTP-00089146 (PCOO Transcript PHL-OTP-00000264; Translation PHL-OTP-00000335 at 0008); PCOO Video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0001).
[425] *See e.g.* President of the Philippines, Memorandum Order No. 17, 5 December 2017, PHL-OTP-0003-3319 at 3319.
[426] *See e.g.* PDEA, PHL-OTP-0003-2538; PCOO, PHL-OTP-0003-3355 at 0025.
[427] *See e.g.* Interview of DUTERTE, 2014, PHL-OTP-00100768 (Transcript PHL-OTP-00250301; Translation PHL-OTP-00248942 at 0005, lines 130-138); HRW, PHL-OTP-0003-0886; AI, PHL-OTP-0003-0823; Inquirer, PHL-OTP-0003-1550; Rappler, PHL-OTP-0003-2254; Malay Mail, PHL-OTP-0003-0047; Inquirer, PHL-OTP-00017510.
[428] PCOO Video of DUTERTE's Speech, 25 July 2016, PHL-OTP-00089146 (PCOO Transcript PHL-OTP-00000264; Translation PHL-OTP-00000335 at 0008).
[429] *See above* paras. 54-57, 62-63.
[430] *See above* paras. 54-65.
[431] *See above* paras. 19, 21-40, 59.

am your chief. To the military, I'm the Commander-in-Chief. On the civilian side, I am the Chief Executive of the government".[432]

97. **DUTERTE** was also aware of the factual circumstances that enabled him, together with the other Co-Perpetrators, to exercise functional control over the crimes. He was aware of the role assigned to him (as head of the DDS, Mayor of Davao City, and later, as President) and to other Co-Perpetrators to implement the Common Plan and commit the agreed crimes. He was also aware of their official positions and *de facto* authority that enabled them to utilise members of the DDS and the National Network to commit crimes. This awareness can be inferred from the manner in which the Co-Perpetrators used existing hierarchies within law enforcement in Davao City and nationwide to organise the DDS and National Network, how they instructed the physical perpetrators to commit the crimes and how the crimes were actually carried out. As noted above, **DUTERTE** made statements expressly acknowledging the significance of his formal role over his subordinates and their obligation to obey him.[433] He also noted the effect of his conduct on the physical perpetrators' commission of the crimes: for example, when asked about the approximately 1,000 individuals who had been killed in the first six weeks of his Presidency, **DUTERTE** responded that previously police were not willing to risk their lives, whereas "they are now encouraged and even brave enough to have a shoot off".[434]

98. **DUTERTE**'s *mens rea* is also demonstrated through his admissions, including that: he killed "around 1,700" people in Davao City as Mayor; it is "true" that he is "the death squad"; he used intelligence funds allocated to him as Mayor of Davao City to fund killings; and he maintained order in Davao City by killing criminals.[435] While Mayor, **DUTERTE** publicly acknowledged: "I'm an absolute monster towards the criminals, and drugs".[436] In 2015, **DUTERTE** admitted his links to the DDS [REDACTED], proclaimed that he had no regrets about the killings in Davao and warned that should he become President, it "would be bloody".[437] [REDACTED] "checked to see if he meant what he said. He did".[438] As recently as March 2025, **DUTERTE** said: "assuming that the talk you hear [of ICC allegations against

[432] PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (Transcript PHL-OTP-00095678; Translation PHL-OTP-00095679 at 0004, lines 130-132). *See also* PCOO Video of DUTERTE's Speech, 21 August 2017, PHL-OTP-00100821 (Transcript PHL-OTP-00237914; Translation PHL-OTP-00249284 at 0002, lines 9-10).
[433] *See above* para. 96.
[434] PCOO Video of DUTERTE's Speech, 21 August 2016, PHL-OTP-00089215 (PCOO Transcript PHL-OTP-00021010; Translation PHL-OTP-00090758 at 0009).
[435] *See above* paras. 42, 69, 75. *See below* para. 109.
[436] Video of DUTERTE on *Gikan sa Masa*, 27 April 2014, PHL-OTP-00100644 (Transcript PHL-OTP-00250191; Translation PHL-OTP-00250225 at 0004, lines 94-97).
[437] [REDACTED], PHL-OTP-00250473-R01 at 0014, paras. 37-38.
[438] [REDACTED], PHL-OTP-00250473-R01 at 0014, para. 41.

him] is true, it is all true, why did I do that? For myself? For my family? It was for you and your children in our country".[439]

C. Ordering and/or inducing (article 25(3)(b))

i. Ordering

99. **DUTERTE** ordered members of the DDS and the National Network, over whom he had authority as Mayor of Davao City and Head of the DDS and, later, President of the Philippines, to commit the crimes in Counts 1 to 3 through the conduct described in paragraphs 67 to 91 above. **DUTERTE's** position of authority over the physical perpetrators is shown by his formal positions as Mayor of Davao City and President of the Philippines, as well as his *de facto* position as head of the DDS.[440]

100. Members of the DDS and National Network carried out **DUTERTE**'s orders, which led to the commission of the crimes in Counts 1 to 3. DDS [REDACTED] committed the murders in Count 1 pursuant to **DUTERTE**'s orders via the DDS hierarchy.[441] [REDACTED] said: "we would always obey orders from Mayor **DUTERTE** […] we couldn't disobey his orders" or else they would be fired, replaced, reassigned to difficult areas or killed.[442]

101. **DUTERTE** also ordered killings during the Presidential period, including through his public speeches (outlined throughout this TB).[443] These orders had a direct effect on the commission of the crimes. That the killings in Counts 2 and 3 were committed pursuant to these orders is evidenced in the narratives of the incidents below, as well as in the statements of insider witnesses. For example, [REDACTED] said that his unit killed "because of the directive of the president".[444]

102. **DUTERTE** meant to engage in this conduct and was aware of his position of authority over the physical perpetrators of the crimes, as is shown by the same evidence supporting his intent as a Co-Perpetrator.[445] He intended that murder and other violent crimes would be committed or was aware that they would be committed in the ordinary course of events as a

[439] ANC, Video of DUTERTE's Speech, 9 March 2025, PHL-OTP-00090149 (Transcript PHL-OTP-00090522; Translation PHL-OTP-00091699 at 0003).
[440] *See above* paras. 54-57.
[441] *See below* Count 1, Incidents 1-9.
[442] [REDACTED] at 0004-0005, lines 85-108.
[443] *See e.g.* paras. 148, 166.
[444] [REDACTED] at 0066, lines 2304-2306.
[445] *See above* paras. 92-98.

result of the implementation of the orders.[446] In particular, **DUTERTE**'s speeches show that he meant to engage in this conduct and intended that the crimes would be committed in consequence.[447] For example, on 21 July 2016, **DUTERTE** told personnel from the Western Mindanao Command of the AFP that he would not allow them to go to jail for conduct in "an anti-methamphetamine operation" because "[e]veryone that you've executed, those are on my orders. That's on me, mine and mine alone. That's on me".[448]

ii. Inducing

103. **DUTERTE** induced members of the DDS and the National Network to commit the crimes in Counts 1 to 3 through the conduct described in paragraphs 67 to 91 above. **DUTERTE** exerted influence over the members of the DDS and the National Network, prompting them to commit the relevant crimes. This inducement had a direct effect on the commission of the crimes. **DUTERTE** meant to engage in the conduct described above. **DUTERTE** intended that, as a result of his conduct, murder and other violent crimes would be committed or was aware that they would be committed in the ordinary course of events. The evidence relied upon for inducing is the same as that relied upon for ordering.[449]

D. Aiding and abetting (article 25(3)(c))

104. **DUTERTE** aided, abetted or otherwise assisted members of the DDS and the National Network to commit the crimes in Counts 1 to 3 through the conduct described in paragraphs 67 to 91 above. Through this conduct, **DUTERTE** facilitated and provided moral encouragement for the crimes, the effect of which is shown,[450] for example, by the statement of [REDACTED] that **DUTERTE**'s public comments effected his decision to kill, as he thought: "[w]ell, even the president, he himself is ready to do something like this, and who am I? I'm just [REDACTED].[451] Similarly, [REDACTED] found moral encouragement in the environment of impunity which **DUTERTE** established, saying that he felt "confident" to keep killing people because he knew he would not be arrested.[452]

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[446] *See above* paras. 92-98.
[447] *See e.g.* PCOO Video of DUTERTE's Speech, 21 August 2016, PHL-OTP-00089215 (PCOO Transcript PHL-OTP-00021010; Translation PHL-OTP-00090758 at 0009).
[448] Video of DUTERTE's Speech, 21 July 2016, PHL-OTP-00089134 (Transcript PHL-OTP-00099836; Translation PHL-OTP-00099849 at 0003, lines 47-51).
[449] *See above* paras. 99-102.
[450] *Bemba et al.* TJ, paras. 90-94; *Al Mahdi* CD, para. 26; *Ongwen* CD, para. 43.
[451] [REDACTED] at 0011, lines 327-333.
[452] [REDACTED] at 0005, lines 130-131.

105. **DUTERTE** meant to engage in the relevant conduct and did so with the purpose of facilitating the commission of such crimes. **DUTERTE** was aware that members of the DDS and the National Network would, in the ordinary course of events, commit the types of crimes charged, and was aware that his conduct would contribute to their commission. The evidence of **DUTERTE**'s *mens rea* is described above.[453] Additionally, **DUTERTE** expressly noted that his moral encouragement was for the purpose of facilitating crimes. For example, during a speech on 12 December 2016, **DUTERTE** said that he used to ride around Davao on a motorcycle "looking for trouble" "so I could kill". He said "I used to do it personally. Just to show the guys that, if I can do it why can't you?"[454]

VI. CONTEXTUAL ELEMENTS OF ARTICLE 7: CRIMES AGAINST HUMANITY

106. From at least 1 November 2011 to 16 March 2019, the DDS and/or the National Network carried out a widespread and systematic attack against the civilian population in the Philippines. During the Mayoral period, the attack was concentrated in Davao City and carried out predominantly by the DDS. During the Presidential period, the attack expanded across the Philippines and was carried out by the National Network: predominantly law enforcement personnel with non-police assets and hitmen under their direction and/or control.

A. The DDS and/or the National Network carried out an attack directed against a civilian population

107. The attack comprised multiple acts contrary to article 7(1) of the Rome Statute collectively amounting to a course of conduct directed against a civilian population: persons in the Philippines who were perceived or alleged to be involved in drug-related and other crimes.[455] The acts include but are not limited to the at least 85 murders and two attempted murders charged in this case. They also include at least hundreds of other murders during the Mayoral period,[456] thousands of other murders in the Presidential period,[457] and other violent

[453] *See above* paras. 92-98.
[454] CNN, Video of DUTERTE's Speech, PHL-OTP-00000351 (Transcript PHL-OTP-00015547 at 0002, lines 2-8).
[455] Confirmation Decision, para. 57. *See also* Confirmation Decision, para. 62 ("alleged criminals in the Philippines who were perceived or alleged to be involved in drug-related (including production, sale and use) and other crimes (such as theft and murder")).
[456] *See below* paras. 108-109.
[457] *See below* paras. 110-113. *See also* HRW, PHL-OTP-0003-0796 at 0796; AI, PHL-OTP-0003-0799 at 0799, PHL-OTP-0003-1004 at 1013; Commission on Human Rights of the Philippines, PHL-OTP-0003-3344 at 3347, para. 14; Reuters, PHL-OTP-0003-0565 at 0566-0567; The Manila Times, PHL-OTP-0003-1494; PhilStar, PHL-OTP-0002-0601 at 0601-0602; The Atlantic, PHL-OTP-0003-0550 at 0553.

crimes under article 7(1) including the dozens of acts of torture, ill treatment and rape committed throughout the charged period.[458]

108. In relation to the Mayoral period, [REDACTED] systematically reviewed [REDACTED] and recorded that more than [REDACTED] people were killed as part of a "pattern of summary killings" in Davao City.[459] [REDACTED],[460] [REDACTED].[461] [REDACTED] data shows a fluctuation in the number of killings per year, with an acceleration from 2001 onwards—when **DUTERTE** became Mayor again.[462] [REDACTED] acknowledged that their lack of resources meant that their records did not fully encompass the "sheer volume" of reporting on relevant killings.[463] During the period 2011-2015, [REDACTED] recorded at least 385 victims of extrajudicial killings in Davao City,[464] 296 of whom were shot dead.[465] [REDACTED] identified are described in more detail below.[466]

109. The statements of [REDACTED] also confirm that at least hundreds of people were killed during the Mayoral period in Davao City by the DDS. [REDACTED] said that he personally killed around 300 people [REDACTED][467] and that [REDACTED] between 1,500 to 2,000 bodies of DDS victims are buried in Laud Quarry.[468] P-0002, [REDACTED] (and, accordingly, [REDACTED] distinct murders), estimates that he too killed several hundred people.[469] **DUTERTE** has publicly admitted that he killed "around 1,700" people when he was Mayor of Davao City.[470]

110. In relation to the Presidential period, the [REDACTED] dataset shows that at least 7,029 anti-drug-related killings occurred between 10 May 2016 (the day after **DUTERTE** was elected

[458] *See e.g.* P-0002, PHL-OTP-00015508-R01 at 0014, lines 505-515, PHL-OTP-00015509-R02 at 0004, lines 128-139; [REDACTED] at 0002-0004, lines 3-94, [REDACTED] at 0007, lines 178-196; [REDACTED] at 0010-0015, lines 282-471; [REDACTED] at 0008, lines 207-233; [REDACTED] at 0017-0019, lines 536-613; [REDACTED]; OMCT, PHL-OTP-00000044 at 0004, 0020, 0023, 0031-0033; AI, PHL-OTP-0003-1004 at 0012, 0016; HRW, PHL-OTP-0003-0662 at 0044, 0069, 0075, 0081, 0085-0086; Inquirer, PHL-OTP-0003-2313.
[459] [REDACTED] at 0007-0010, paras. 42-54.
[460] [REDACTED] at 0003-0005, paras. 15, 26.
[461] [REDACTED] at 0003, lines 48-56.
[462] [REDACTED].
[463] [REDACTED] at 0012, para. 64.
[464] [REDACTED]; New Naratif, PHL-OTP-0003-2336 at 0006-0007; PREDA, PHL-OTP-00001006 at 0002.
[465] [REDACTED].
[466] *See below* para. 114.
[467] [REDACTED] at 2584, lines 253-273.
[468] [REDACTED] at 2772, lines 1359-1364. *See also* [REDACTED] at 0013-0016, lines 389-476, [REDACTED] at 0002-0017, lines 16-519, [REDACTED], PHL-OTP-00096041-R01 at 0053-0055, lines 1972-2032.
[469] P-0002, PHL-OTP-00015509-R02 at 0010, line 385, PHL-OTP-00015526-R01 at 0004, line 99.
[470] Video of DUTERTE's Interview, 8 December 2015, PHL-OTP-00000294 (Transcript PHL-OTP-00000843; Translation PHL-OTP-00000851 at 0002, lines 2-5). *See also* Rappler, PHL-OTP-0003-1297 at 1299.

President) and 31 December 2018.[471] [REDACTED][472] data shows that at least [REDACTED] killings occurred in connection with the formal anti-illegal drugs campaign between 1 July 2016 and early March 2019.[473] The **DUTERTE** Administration's 2017 Year End Report recorded that 3,967 drug personalities had been killed between 1 July 2016 and 22 November 2017, and a further 16,355 drug-related homicides were recorded as "accomplishments" during the same period, suggesting a total of 20,322 killings.[474] In 2019, PDEA acknowledged that 5,281 "drug personalities" "died in anti-drug operations" between 1 July 2016 and 28 February 2019.[475]

111. Prosecution expert P-1162 analysed the use of deadly force by police in the Philippines, through a series of national, international and regional comparisons, with a particular focus on Bulacan province.[476] The objective of his analysis was to determine whether official narratives of self-defence "withstand systematic empirical scrutiny".[477] His research identifies and evaluates indicators such as ratios of suspects wounded against suspects killed, suspects killed against police officers killed, and number of operations against suspects killed.[478] P-1162's analysis found that, during **DUTERTE**'s presidency, the number of deaths was not the unavoidable result of lawful self-defence but, rather, are indicative of the use of deadly force, with a substantial proportion of the deaths more consistent with intentional extrajudicial killings than with excessive force in otherwise lawful operations.[479] P-1162 found that the suspect to officer fatality ratios "provide a compelling evidentiary basis to conclude that a vast majority of these encounters were staged to mask targeted killings, representing a systemic practice of extrajudicial execution rather than legitimate law enforcement".[480] Even when compared to "jurisdictions notorious for violent policing", the use of deadly force by police in the Philippines during the **DUTERTE** era was extreme and a statistical outlier.[481] P-1162 found that in the initial months of **DUTERTE**'s presidency the number of fatalities in police operations increased by approximately 1,000% compared to both individual prior years and the average of the preceding nine years,[482] and in Bulacan, police killings increased by "700 to over 1,000

[471] [REDACTED].
[472] [REDACTED].
[473] [REDACTED] at 0812-0814.
[474] PCOO, PHL-OTP-0003-3355 at 3379.
[475] PDEA, PHL-OTP-0003-2538 at 2538.
[476] P-1162, PHL-OTP-00249773 at 0033-0034, 0039, PHL-OTP-00091837-R01 at 0003, 0005, paras. 3-4, 11, PHL-OTP-00017684-R01 at 0003, paras. 2-4, PHL-OTP-00088713-R01 at 0006.
[477] P-1162, PHL-OTP-00249773 at 0035, PHL-OTP-00088713-R01 at 0002.
[478] P-1162, PHL-OTP-00249773 at 0026, 0029, 0031, PHL-OTP-00088713-R01 at 0006, 0008.
[479] P-1162, PHL-OTP-00249773 at 0011, 0058, 0064, 0066-0067, 0072-0074, 0136, 0144, PHL-OTP-00088713-R01 at 0008.
[480] P-1162, PHL-OTP-00249773 at 0067, PHL-OTP-00088713-R01 at 0002.
[481] P-1162, PHL-OTP-00249773 at 0083, 0135, 0139, PHL-OTP-00088713-R01 at 0033.
[482] P-1162, PHL-OTP-00249773 at 0096.

percent".[483] Consistent with the evidence of false claims of self-defence in relation to multiple of the charged incidents in this case, P-1162 concluded that the claim of self-defence is "substantially undermined" and served instead as "a legal cover" for the excessive and extrajudicial use of deadly force.[484]

112. [REDACTED] quantitatively analysed patterns and [REDACTED] of violence in the national anti-illegal drugs campaign.[485] [REDACTED] found that, throughout the charged period, the killings "[REDACTED]",[486] demonstrating that the campaign was "[REDACTED]".[487] Overall, [REDACTED] found that the pattern of violence was not random but, rather, that **DUTERTE** was able to "[REDACTED]."[488]

113. Such acts were not the mere aggregate of isolated or random incidents,[489] but shared common features. *First*, the acts were often committed during the same types of operation, namely: riding-in-tandem;[490] buy-bust,[491] *tokhang*[492] and/or One Time Big Time ("OTBT").[493] *Second*, the method of killing was frequently at close range by shooting or stabbing.[494] *Third*, the profile of the victims was generally individuals alleged to be involved in criminality, including those on 'drug watchlists', or the family members or associates of such individuals.[495] For example, *all* of the [REDACTED] victims recorded by [REDACTED] were: (i) killed in a violent fashion; and (ii) alleged to have links to drug use or sale, be on a drug watchlist and/or killed in anti-drug operations.[496] *Fourth*, the perpetrators were generally Philippine State actors,

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[483] P-1162, PHL-OTP-00249773 at 0134.
[484] P-1162, PHL-OTP-00249773 at 0144.
[485] [REDACTED], PHL-OTP-00240653 at 0001-0005, PHL-OTP-00240654 at 0001-0021, PHL-OTP-00240651 at 0001-0022.
[486] [REDACTED], PHL-OTP-00240651 at 0020-0021.
[487] [REDACTED], PHL-OTP-00240654 at 0016, 0020.
[488] [REDACTED], PHL-OTP-00240653 at 0004, PHL-OTP-00240654 at 0016.
[489] *Gbagbo* CD, para. 209; *Bemba* TJ, para. 149.
[490] [REDACTED] at 0004, 0012-0024, lines 73-74, 365-453; [REDACTED] at 0025-0026, 0046, 0073, paras. 93, 194, 329; [REDACTED] at 0645, 0687-0688, paras. 99, 321; [REDACTED] at 0008, para. 44.
[491] [REDACTED] at 0009, lines 257-258; [REDACTED] at 0035, para. 137; [REDACTED] at 0645-0646, para. 102, 0648, para. 117, 0681, para. 288, 0687, para. 319; Reuters, PHL-OTP-0003-0092 at 0097; PNP, PHL-OTP-00064586.
[492] P-0002, PHL-OTP-00015508-R01 at 0011-0012, lines 364-442, PHL-OTP-00015509-R02 at 0004, lines 124-125; [REDACTED] at 0032, para. 126, 0045-0046, para. 191, 0049, para. 207, 0074-0075, paras. 336-340; [REDACTED] at 0678, 0682, 0687-0689, paras. 274, 295, 319, 326; PNP, PHL-OTP-00064586; ABS-CBN, PHL-OTP-00100647 (Translation PHL-OTP-00248934 at 0002, lines 2-3, 24-27.
[493] [REDACTED] at 0004-0006, lines 87-143; [REDACTED] at 0034-0036, 0038-0039, paras. 135-143, 156-160; [REDACTED] at 0648-0649, paras. 117-122; Rappler, PHL-OTP-0003-1718 at 1718-1723.
[494] [REDACTED] at 2692-2698, lines 23-224; P-0002, PHL-OTP-00015509-R02 at 0010, lines 353-356; [REDACTED] at 0003-0006, lines 38-159; [REDACTED] at 0632, para. 35.
[495] [REDACTED] at 2652-2653, lines 422-480, [REDACTED] at 2690, lines 245-250; [REDACTED] at 0016, lines 492-495; [REDACTED] at 0059-0060, paras. 259-265; [REDACTED] at 0685-0686, 0697-0698, paras. 306, 308, 310, 368-369; [REDACTED] at 0008, paras. 44-45; [REDACTED].
[496] [REDACTED].

in particular PNP personnel, sometimes acting in concert with non-police assets or paid hitmen.[497] *Fifth*, perpetrators often tried to mask the criminal nature of their conduct by planting guns and staging *nanlaban* ('fight-back') scenarios to make killings look like self-defence in an effort to 'legitimise' the murders and protect themselves from accountability.[498] Perpetrators also planted drugs and drug paraphernalia on victims to 'justify' their targeting.[499] *Sixth*, the underlying aims of the acts were frequently to eliminate and deter criminality and drug use, as well as for police to show results or "accomplishments", including by meeting killing quotas.[500] Overall, these common features show that the acts formed part of the same course of conduct.

114. Witness testimony establishes that, as the attack expanded from the Mayoral period to the Presidential period, the killings continued to exhibit the same or strikingly similar features. For example, [REDACTED] extrajudicial killings in Davao City during the Mayoral period, noted that death squad killings were generally perpetrated by one or two individuals riding-in-tandem without licence plates and the victim was often on a drug watchlist or had a criminal record.[501] [REDACTED] extrajudicial killings in Manila [REDACTED] during the Presidential period,[502] noted that killings shared the following features: the victims were "drug surrenderees" or were on a drug watchlist; the killing occurred by shooting; the victims' bodies were discovered with a gun or illegal drugs; the perpetrators were riding-in-tandem or in a Toyota Tamaraw FX (utility vehicle); and where the PNP acknowledged their involvement, they claimed that the victims fought back.[503] [REDACTED] said: "[w]hen Mr DUTERTE was elected as president, it was like re-living a nightmare that was brought to a national scale".[504]

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[497] PDEA, PHL-OTP-0003-2538 at 2538-2545; P-0002, PHL-OTP-00015506-R01 at 0004, lines 88-98, PHL-OTP-00015507-R02 at 0005-0006, lines 123-190; [REDACTED] at 0003-0004, lines 37-97; [REDACTED] at 0005.
[498] [REDACTED] at 0645-0646, para. 102; [REDACTED], PHL-OTP-00002236-R02 at 0010-0011, para. 28; [REDACTED] at 0031-0032, lines 1074-1106; [REDACTED] at 0017-0020, lines 565-684; [REDACTED], PHL-OTP-00088636-R01 at 0026-0028, lines 851-860, 880-900; [REDACTED] at 0020, lines 630-631; [REDACTED] at 0007, paras. 43, 48; [REDACTED] at 0017, lines 603-604; [REDACTED] at 0006, 0012-0013, lines 160-173, 369-387, [REDACTED] at 0007, lines 176-189.
[499] *See e.g.* [REDACTED] at 0006, 0009-0010, lines 157-160, 251-279, [REDACTED] at 0010-0012, lines 276-372; [REDACTED] at 0015-0016, lines 453-488; [REDACTED] at 0025-0026, lines 804-812; [REDACTED] at 0022-0026, lines 702-832.
[500] [REDACTED] at 2783-2784, lines 133-144; P-0002, PHL-OTP-00015527-R01 at 0007-0008, lines 243-282, PHL-OTP-00015528-R02 at 0002-0003, lines 12-54; [REDACTED] at 0027-0028, lines 932-938; [REDACTED] at 0023, lines 717-721; [REDACTED], PHL-OTP-00088945-R01 at 0015-0016, lines 482-507; [REDACTED] at 0008, lines 227-258, [REDACTED] at 0011, lines 336-352, [REDACTED] at 0020, lines 673-691.
[501] [REDACTED] at 0008, para. 44. *See also* [REDACTED] at 0006-0007, para. 16.
[502] [REDACTED], PHL-OTP-00099940-R01 at 0005, 0008, lines 133-135, 253-256.
[503] [REDACTED], PHL-OTP-00099941-R01 at 0007-0009, lines 201-312.
[504] [REDACTED] at 0003, para. 12.

115. One type of operation which was already used during the Mayoral period,[505] and featured heavily in the Presidential period,[506] was OTBT Operations: large-scale, high-intensity police operations in which activities like arrests, raids and searches were carried out simultaneously in multiple locations.[507] To ensure that they had "somebody to kill" during OTBTs, police instructed [REDACTED] to abduct and detain targets in advance of the operation, when the targets would be taken to a chosen location and shot in circumstances made to appear like a legitimate police operation.[508] Some police stations imposed killing quotas, for example, [REDACTED] instructed his subordinates that ten people must "die as part of a drug war operation".[509]

116. Another feature of operations during the Presidential period was the application of the "presumption of regularity in the performance of official duties" to protect police perpetrators from accountability. While under Philippine law, the presumption is "disputable by proof to the contrary"[510] and does not apply where "there is any hint of irregularity committed by police officers",[511] it was routinely invoked and misapplied during the anti-illegal drugs campaign to incidents with evidence of such irregularity.[512]

117. The targeted population of the attack was civilians, primarily those alleged by the authorities to be involved in crimes including drug-related activities, and their family members or associates.[513] This is shown, *inter alia*, by: insider witness accounts that they targeted victims

[505] *See e.g.* Video of **DUTERTE** on *Gikan sa Masa*, 20 December 2015, PHL-OTP-00100663 (Transcript PHL-OTP-00250353; Translation PHL-OTP-00250258 at 0002, lines 2-3); Mindanao Daily Mirror, PHL-OTP-00167707, PHL-OTP-00168805, PHL-OTP-00169015, PHL-OTP-00169561, PHL-OTP-00169908, PHL-OTP-00169940, PHL-OTP-00169956.
[506] [REDACTED], PHL-OTP-00099941-R01 at 0014-0015, lines 485-504.
[507] [REDACTED] at 0004-0006, lines 87-147; [REDACTED] at 0035-0036, paras. 137-143; [REDACTED] at 0648-0649, paras. 116-122; [REDACTED] at 0109-0110, lines 3763-3809; [REDACTED] at 0010, lines 295-298; Rappler, PHL-OTP-0003-1718.
[508] [REDACTED] at 0004-0006, lines 87-147, [REDACTED] at 0018, lines 574-583, [REDACTED] at 0015-0016, lines 454-498.
[509] [REDACTED] at 0017, lines 541-553.
[510] Supreme Court of the Philippines, *People of the Philippines v. Pereda et al*, PHL-OTP-00240342 (Translation PHL-OTP-00249273 at 0031).
[511] Supreme Court of the Philippines, *People of the Philippines v. Catalan y Dedala*, PHL-OTP-00250477 at 0006.
[512] *See e.g.* Incidents 10, 15, 17, 18, 19, 23, 29, 34, 35, 37, 39, 43, 46, 55.
[513] [REDACTED] at 2652-2653, lines 418- 480, [REDACTED] at 2690, lines 245-250; [REDACTED] at 0059-0060, 0068, 0073, paras. 259-265, 307-308, 330; [REDACTED] at 0685-0686, 0697-0698, paras. 306, 308, 310, 368-369; [REDACTED] at 0030, para. 19.

on this basis;[514] the fact that many victims had been on drug watchlists before their deaths;[515] the placement of placards on some victims' bodies alleging that they had been involved in illegal drugs (for example, "*Pusher ako*" ("I am a pusher")) and warning not to emulate them;[516] public pronouncements by **DUTERTE** which demonstrate the targeting of those suspected of involvement in "criminality, the sale and use of illegal drugs";[517] as well as **DUTERTE** and his associates' private instructions to direct perpetrators that they were to target such individuals.[518]

B. The attack was carried out pursuant to a policy to 'neutralise' through violent crimes, including murder, alleged criminals in the Philippines

118. The attack was carried out pursuant to an organisational or State policy[519] to 'neutralise' through murder and other violent crimes persons in the Philippines who were perceived or alleged to be involved in drug-related and other crimes. During the Mayoral period, as Mayor of Davao City and Head of the DDS, **DUTERTE** espoused this policy and used the DDS to implement it.[520] The DDS constituted an "organisation" because its structures or mechanisms

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[514] [REDACTED] at 0009, 267-279, [REDACTED] at 0010-0011, lines 308-326, [REDACTED] at 0012, lines 372-380, [REDACTED] at 0004, 0015-0016, lines 80, 445-510; [REDACTED] at 0010-0011, lines 336-344; [REDACTED] at 0009, 0012, 0017, 0097-0099, 0110-0112, 0121, lines 292-293, 405-407, 588-597, 3341-3355, 3374-3431, 3782-3784, 3838-3856, 4162-4166; [REDACTED] at 0016, lines 510-512, [REDACTED] at 0008, lines 252-258, [REDACTED] at 0018, lines 605-608, [REDACTED] at 0004-0005, 0028, lines 101-108, 917, [REDACTED] at 0005, lines 110-114; [REDACTED] at 0022, 0025, lines 704-705, 804-813, [REDACTED] at 0004, lines 99-105; [REDACTED], PHL-OTP-00088633-R01 at 0006, 0013, lines 184-185, 428-429, [REDACTED] at 0008, lines 248-250.

[515] [REDACTED] at 0015-0016, lines 475-496, [REDACTED] at 0013, lines 396-397; [REDACTED] at 0059-0060, 0068, 0073, paras. 259-265, 307-308, 330; [REDACTED] at 0685-0686, 0697-0698, paras. 306, 308, 310, 368-369; [REDACTED] at 0016, lines 491-508, [REDACTED] at 0004, lines 68-80; PNP, PHL-OTP-00016626; [REDACTED] (*see* Column [REDACTED]). *See also* HRW, PHL-OTP-0003-0662 at 0718, 0727, 0737-0740; Reuters, PHL-OTP-0003-0283 at 0283-0287.

[516] [REDACTED] at 0042, 0072, paras. 199, 352; [REDACTED] at 0008-0009, 0040, 0059-0061, 0067, paras. 41, 201, 303, 306, 308, 310, 342; [REDACTED] at 0026, lines 820-839; [REDACTED] at 0015-0017, lines 468-523; [REDACTED] at 0011, para. 47; [REDACTED], PHL-OTP-00232370-R01 at 0010, 0023, lines 299-303, 722-737, PHL-OTP-00247411-R01 at 0011, lines 324-334; [REDACTED], PHL-OTP-00099942-R01 at 0018-0019; PNP, PHL-OTP-00000155 at 0001-0002, 0007, 0015, 0023, PHL-OTP-00045461 at 0001, PHL-OTP-00050824 at 0001, PHL-OTP-00050836 at 0001, para. 3, PHL-OTP-00050829, PHL-OTP-00055103, PHL-OTP-00046597 at 0001, PHL-OTP-00058325 at 0004, PHL-OTP-00058357 at 0001, para. 3, PHL-OTP-00062226 at 0007, para. 6.

[517] PCOO Video of DUTERTE's Speech, 30 June 2016, PHL-OTP-00090741 (PCOO Transcript PHL-OTP-0003-3291 at 3292). *See also* PCOO Video of DUTERTE's Speech, 15 January 2018, PHL-OTP-00090702 (PCOO Transcript PHL-OTP-0003-3800; Translation PHL-OTP-00015493 at 0004); PCOO Video of DUTERTE's Speech, 13 March 2017, PHL-OTP-00089707 (PCOO Transcript PHL-OTP-0003-3224; Translation PHL-OTP-00015479 at 0016); PCOO Video of DUTERTE's Speech, 14 March 2017, PHL-OTP-00089710 (PCOO Transcript PHL-OTP-0003-3261; Translation PHL-OTP-00015492 at 0006).

[518] P-0002, PHL-OTP-00015501-R01 at 0002, lines 8-21; [REDACTED] at 0030, paras. 19-22; [REDACTED] at 0002-0005, 0019-0020, lines 17-42, 115-132, 675-714, [REDACTED] at 0017, lines 599-627, [REDACTED] at 0001, paras. 14-15, [REDACTED] at 0002, para. 9, [REDACTED] (Translation [REDACTED]); [REDACTED] at 0038-0040, lines 1287-1363, [REDACTED] at 0018-0019, lines 559-584, 0044, lines 1487-1494, [REDACTED] at 0028-0030, 0036, lines 963-971, 994, 1217-1246, [REDACTED] at 0003-0004, 0006, lines 47-48, 164-165, [REDACTED] at 0015, 0017, 0021, lines 472-491, 569-571, 686-690.

[519] Confirmation Decision, para. 60.

[520] *See above* paras. 41-43, 54-60.

were sufficiently efficient to carry out the attack, as is shown through its hierarchical structure, its ordering and reporting lines, the supply of sufficient weapons and logistical resources to perpetrate the crimes, and the fact that the DDS carried out the attack.[521]

119. During the presidential period, once **DUTERTE** became President with control over the National Network, the policy was expanded to the national level.[522] The DDS organisational policy thus became a State policy and the State's forces and resources were used to actively promote, condone and execute the attack.[523] The crimes were planned, ordered and perpetrated using State personnel and others under their control, including from the PNP and PDEA.[524]

120. The existence of the policy is shown through a range of factors. *First*, [REDACTED] the origins of the policy in Davao City [REDACTED], when **DUTERTE** instructed police and paid non-police hitmen to kill criminals including drug personalities.[525] [REDACTED] how **DUTERTE** disseminated this policy to perpetrators and authorised and financed killings when he was Mayor and Vice Mayor of Davao.[526] He also disseminated the policy to the general public through his frequent media appearances. For example, he asserted at a 2013 press conference that shoot-to-kill orders and "rewards", including for delivery of a "carcass" are "legitimate tools of government to fight lawlessness"—"dead, then I double the prize".[527] In a 2015 televised interview, he said if drug dealers did not leave Davao City within 48 hours, "I will kill you […] I will tell the police to shoot you".[528] **DUTERTE** subsequently asserted that this policy "worked" and so he would apply it as President.[529]

121. *Second*, not only was the policy implemented through the use of State forces and resources, but there was also a high degree of coordination amongst different State actors to

[521] *See above* paras. 41, 54-60, 75, 78, 108-109.
[522] *See above* paras. 42-46, 62-64.
[523] *See above* paras. 13-18, 22, 31, 40. *See below* Counts 2 and 3.
[524] *See below* Counts 2 and 3.
[525] [REDACTED] at 2591-2592, 2599-2602, lines 510-537, 758-859, [REDACTED] at 2611-2614, 2616, lines 185-288, 347-366; P-0002, PHL-OTP-00015500-R02 at 0010-0011, lines 302-338, PHL-OTP-00015514-R01 at 0011, lines 370-378; [REDACTED] at 9247-9248.
[526] [REDACTED] at 2620, 2630-2632, lines 479-493, 822-902; P-0002, PHL-OTP-00015514-R01 at 0002-0004, lines 23-93, PHL-OTP-00015502-R01 at 0002-0003, lines 24-69; [REDACTED] at 9249, 9252; [REDACTED] at 0012, lines 383-409.
[527] Video of DUTERTE's interview, 15 July 2013, PHL-OTP-00000354 (Transcript PHL-OTP-00001679; Translation PHL-OTP-00001682 at 0002, lines 4-11). *See also* Video of DUTERTE's Interview, 15 July 2013, PHL-OTP-00000285 (Transcript PHL-OTP-00000840; Translation PHL-OTP-00000848 at 0002).
[528] Video of DUTERTE's interview, 26 October 2015, PHL-OTP-00000306 (Transcript PHL-OTP-00000847; Translation PHL-OTP-00000855 at 0002); SunStar, PHL-OTP-00000409.
[529] PCOO Video of DUTERTE's Speech, 14 March 2017, PHL-OTP-00089710 (PCOO Transcript PHL-OTP-0003-3261; Translation PHL-OTP-00015492 at 0006).

commit the crimes.[530] The State actors included police personnel under **DUTERTE**'s control in Davao City when he was Mayor and, later, PNP, PDEA and other State forces under his overall authority when he was President. In both periods, local administrators coordinated with law enforcement personnel to target victims. In Davao City, personnel at the Land Transportation Office ("LTO") provided police in the DDS with identifying information on targeted individuals from the LTO databases.[531] During the presidential period, *barangay* councillors gave police the names of targets and provided personnel to surveil such targets and report their whereabouts to police perpetrators.[532] **DUTERTE**'s Davao City Mayor's Office provided the DDS with vehicles, ammunition and firearms to perpetrate crimes pursuant to the policy, as well as paid hitmen a regular salary (including as "ghost employees" of Davao City Hall).[533] Similarly, when **DUTERTE** was President, police instructed and coordinated with non-police assets, who used equipment provided by police, to perpetrate killings.[534]

122. *Third*, the anti-illegal drugs component of the policy was ultimately formalised through CMC No. 16-2016[535] by **DUTERTE**'s long-time ally and PNP Chief appointee DELA ROSA,[536] and expressly referenced **DUTERTE**'s pronouncement "to get rid of illegal drugs during the first six months of his term".[537] The circular's launch was immediately followed by a marked increase in killings.[538] Such killings were endorsed by **DUTERTE**'s administration, which, for example, listed "3,967 Drug personalities who died in anti-drug operations" as "accomplishments" in its public reporting.[539]

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[530] President of the Philippines, Executive Order No. 15: Creation of the Inter-Agency Committee on Anti-Illegal Drugs (ICAD) and Anti-Illegal Drug Task Force to Suppress the Drug Problem in the Country, 6 March 2017, PHL-OTP-0005-0415 at 0416-0417; DILG, Memorandum No. 2016-03, 13 July 2016, Section 6.1.1, PHL-OTP-0003-3335 at 3335, 3337, Memorandum No.2016-113, 2 September 2016, PHL-OTP-0005-0323 at 0323-0329 (implementing the MASA MASID programme, coordinating community action in "the fight against illegal drugs and criminality"); [REDACTED] at 2747-2748, lines 508-550, [REDACTED] at 2630-2632, lines 822-902; P-0002, PHL-OTP-00015502-R01 at 0009, lines 273-275, PHL-OTP-00015503-R01 at 0002, lines 7-19, PHL-OTP-00015542-R01 at 0001-0002, lines 25-74; [REDACTED] at 0006-0007, lines 164-184; [REDACTED] at 0059-0060, paras. 262-265; [REDACTED] at 0650, para. 125; [REDACTED] at 9249, 9260; PNP, PHL-OTP-00000147-R01 at 0034, paras. 46-49; PDEA, PHL-OTP-0003-2615 at 2618; Reuters, PHL-OTP-0003-0283 at 0282-0291.

[531] P-0002, PHL-OTP-00015503-R01 at 0002, lines 2-22; [REDACTED] at 0009-0010, lines 246-284.

[532] [REDACTED] at 0006-0007, lines 164-184.

[533] [REDACTED] at 2703-2704, 2725-2726, lines 385-430, 1136-1162; P-0002, PHL-OTP-00015503-R01 at 0002-0003, lines 31-61; [REDACTED] at 9250; HRW, PHL-OTP-0003-0886 at 0941-0942.

[534] [REDACTED] at 0015-0017, lines 485-539, [REDACTED] at 0009-0010, lines 294-310; [REDACTED] at 0017-0018, lines 546-592, [REDACTED] at 0013-0014, lines 401-433.

[535] *See also* para. 13.

[536] *See above* paras. 19(i), 21-23.

[537] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0001.

[538] *See above* paras. 15, 111.

[539] PCOO, PHL-OTP-0003-3355 at 3379. *See also* Supreme Court of the Republic of the Philippines, Notice of Resolution Aileen Almora, Et Al. v. Director General Ronald Dela Rosa, G.R. Nos. 234359 and 234484, 3 April 2018, PHL-OTP-0003-

123. *Fourth*, the policy is articulated through the abundance of public statements by **DUTERTE**, made during his time as both Mayor and President, as well as by other Philippine Government officials, encouraging, supporting and urging law enforcement personnel and the public to kill suspected criminals including alleged drug users and dealers.[540]

124. *Fifth*, the policy is evidenced by financial incentives offered by **DUTERTE** for killings,[541] as well as through the accounts of insider witnesses that they received cash rewards per head for killings.[542]

125. *Sixth*, the policy can be inferred from the steps **DUTERTE** and his Co-Perpetrators took to intimidate or silence those who criticised the killings.[543] These include: attempting to suppress the budget of the CHR;[544] directing personal attacks at CHR's then-Chair Jose Luis Martin Gascon;[545] threatening to shoot human rights activists who investigated the killings;[546] publicly attacking independent news outlet Rappler, taking legal steps to shut it down and prosecuting its staff after it reported on "the drug war's true toll";[547] and directing a campaign of harassment against then-Senator Leila DE LIMA[548] (who had initiated two inquiries into extrajudicial killings under **DUTERTE**), [REDACTED].[549]

3058 at 3103 (where the Supreme Court noted: "The government's inclusion of these deaths among its other accomplishments may lead to the inference that these are state-sponsored killings").

[540] Video of DELA ROSA's Interview, 25 August 2016, PHL-OTP-00000288 (Transcript PHL-OTP-00000841; Translation PHL-OTP-00000849 at 0002); Video of AGUIRRE's Speech, 1 February 2017, PHL-OTP-00001460 (Transcript PHL-OTP-00014861; Translation PHL-OTP-00014867 at 0002); Inquirer, PHL-OTP-0003-1350 at 1351; PhilStar, PHL-OTP-0003-1377 at 1377, PHL-OTP-0003-0032 at 0032; CNN, PHL-OTP-0003-0183 at 0184.

[541] *See above* paras. 11, 78-81, 120.

[542] Commission on Audit Report on the Office of the President for 2016, PHL-OTP-00000397 at 0011, 0013; [REDACTED] at 2621, lines 512-516; P-0002, PHL-OTP-00015509-R02 at 0016, lines 619-625; [REDACTED] at 0010-0012, lines 355-388; [REDACTED] at 0013-0016, lines 435-517; [REDACTED] at 0015, lines 446-452; Reuters, PHL-OTP-0003-0092; GMA, PHL-OTP-0003-1847.

[543] [REDACTED] at 0025, lines 892-907.

[544] [REDACTED], PHL-OTP-00099941-R01 at 0003, lines 43-50; The Observatory for the Protection of Human Rights Defenders, PHL-OTP-0003-0831 at 0851-0852.

[545] The Observatory for the Protection of Human Rights Defenders, PHL-OTP-0003-0831 at 0852.

[546] PCOO Video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0008).

[547] [REDACTED], PHL-OTP-00250473-R01 at 0042-0044, paras. 151-164.

[548] [REDACTED].

[549] UN Working Group on Arbitrary Detention, Opinion No. 61/2018 concerning Leila Norma Eulalia Josefa De Lima (Philippines), 30 November 2018, PHL-OTP-0003-2879, paras. 79-84; [REDACTED] at 0013-0014, paras. 43-47, PHL-OTP-00248925, PHL-OTP-00248926, PHL-OTP-00248927; [REDACTED] (Translation [REDACTED] at 0002-0003, paras. 11-12, 15); Inquirer, PHL-OTP-00091897. *See also* AI, PHL-OTP-0003-0826; HRW, PHL-OTP-0003-0803 at 0803, 0805; PGA, PHL-OTP-0003-0828.

126. *Finally*, the policy is demonstrated by the Co-Perpetrators' repeated public promises to shield perpetrators of crimes committed in furtherance of the Common Plan[550] and the failure of the Philippine authorities to take meaningful steps to investigate or prosecute perpetrators.[551] These factors make it clear that an organisational policy which expanded in 2016 to a State policy existed to neutralise alleged criminals, including those involved in drug activities, through violent crimes.

C. The attack was both widespread and systematic

127. The attack was widespread as it was carried out on a large scale and frequent basis, victimising a significant number of civilians over a broad geographic area and a prolonged period of time.[552] The murders and attempted murders described below in Counts 1 to 3 alone are sufficient to demonstrate the widespread nature of the attack, as is evidenced by the map in Annex C.1 and timeline in Annex C.2.[553] However, the Prosecution's evidence demonstrates that the attack was broader than this representative sample of incidents. During the Mayoral period, the attack occurred in Davao City for a period of more than four years.[554] During the Presidential period, the attack expanded to locations across the Philippines for a period of almost three years.[555] The attack included thousands of killings, which were perpetrated consistently throughout the charged period.[556] The widespread nature of the attack is shown by the datasets and accounts of witnesses (insiders, documentation actors and expert) cited

[550] Video of DELA ROSA's Speech, 24 August 2016, PHL-OTP-00092203 (Transcript PHL-OTP-00092203; Translation PHL-OTP-00092647 at 0004, lines 114-115); PCOO Video of DUTERTE's Speech, 1 July 2016, PHL-OTP-00089101 (PCOO Transcript PHL-OTP-00000271; Translation PHL-OTP-00000558 at 0008); PCOO Video of DUTERTE's Speech, 14 November 2016, PHL-OTP-00089453 (PCOO Transcript PHL-OTP-0003-3283; Translation PHL-OTP-00001127 at 0004-0005); PCOO Video of DUTERTE's Speech, 20 September 2016, PHL-OTP-00089322 (PCOO Transcript PHL-OTP-00000267; Translation PHL-OTP-00000336 at 0010); PCOO Video of DUTERTE's Speech, 13 March 2017, PHL-OTP-00089707 (PCOO Transcript PHL-OTP-0003-3224; Translation PHL-OTP-00015479 at 0016); PCOO Video of DUTERTE's Speech, 14 March 2017, PHL-OTP-00089710 (PCOO Transcript PHL-OTP-0003-3261; Translation PHL-OTP-00015492 at 0016); PCOO Video of DUTERTE's Speech, 15 January 2018, PHL-OTP-00090702 (PCOO Transcript PHL-OTP-0003-3800; Translation PHL-OTP-00015493 at 0004).
[551] Article 18 Decision, para. 68.
[552] *Ntaganda* TJ, para. 691; *Ongwen* TJ, para. 2681; *Abd-Al-Rahman* TJ, para. 701.
[553] Annex C.1: Geographical distribution of charged incidents (2013 – 2018); Annex C.2: Timeline of charged incidents 2013 – 2018).
[554] Being 1 November 2011 to 30 June 2016.
[555] Being 1 July 2016 to 16 March 2019.
[556] *See above* paras. 107-117.

above.[557] Additionally, the maps in Annexes F.1, F.2 and F.3, based on two different data sources, visually demonstrate the widespread nature of the attack.[558]

128. The attack was also[559] systematic: it was planned, organised and executed in a coordinated fashion, with the acts perpetrated in a clear pattern of violence directed at the targeted population.[560] This is shown by: the evidence of the policy outlined above; the preparations for the attack (including the coordinated preparedness by **DUTERTE**'s administration to roll out the anti-illegal drugs campaign on the first day of the Presidency); the highly organised and coordinated nature of the attack (amongst different State actors, and between State actors and hired hitmen, to perpetrate the acts); and a clear, consistent pattern of violence directed at the targeted population (with targets often pre-identified, listed and then subjected to operations based on that list). This is also shown by the datasets and witness accounts (insiders, documentation actors and expert) cited above.[561] Additionally, the map in Annex E, depicting individuals listed on the PRRD List and marked as "neutralized", visually demonstrates both the widespread and systematic nature of the attack.[562]

D. There is a nexus between the charged acts and the attack

129. The conduct that forms the basis of these charges was committed as part of this widespread and systematic attack against a civilian population. The relevant nexus[563] between the identified individual acts charged in Counts 1-3 and the attack, is shown through: (i) the geographic and temporal overlap between the attack and the crimes; (ii) the fact that the perpetrators of the crimes—the DDS and National Network—are responsible for the attack; (iii) the fact that the same category of persons (alleged criminals and individuals associated with them) were the object of the attack and the victims of the crimes; and (iv) the fact that the aims of the acts were consistent with the purported aims of the attack, namely to eliminate and deter criminality and drug use.

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[557] *See above* paras. 107-116.
[558] Annex F.1: Geographical distribution of deaths in relation to the War on Drugs based on a dataset provided by [REDACTED]; Annex F.2: Geographical distribution of deaths in relation to the War on Drugs based on a dataset provided by [REDACTED]; Annex F.3: Geographical distribution of deaths in relation to the War on Drugs based on a dataset provided by [REDACTED].
[559] As a matter of law, an attack need only be widespread *or* systematic: *Bemba* TJ, para. 162.
[560] *Ntaganda* TJ, para. 692; *Ongwen* TJ, para. 2682.
[561] *See above* paras. 108-126.
[562] Annex E: Geographical distribution of individuals marked as "neutralized" in the file title "PRRD_latest" ("Annex E").
[563] *Bemba* TJ, para. 164; *Katanga* TJ, para. 1124.

E. The perpetrators knew and intended that their conduct was part of the attack

130. **DUTERTE**, his Co-Perpetrators and the physical perpetrators all intended that the crimes form part of the attack. By devising the policy and implementing it through the DDS and National Network, over whom they jointly had control, the Co-Perpetrators knew that the crimes would form part of the attack. From their experience in Davao City, the Co-Perpetrators knew that the physical perpetrators were prepared to commit the crimes in furtherance of the purported goals of the attack. The Co-Perpetrators' intent is also reflected in their frequent public statements in support of the conduct to further the attack.[564] Similarly, the physical perpetrators' intent is seen in their statements that they intended the commission of the crimes to further the goals of the attack. For example, [REDACTED] was motivated to perpetrate the killings in [REDACTED] because he felt that killing drug lords was a "cause for the country".[565] [REDACTED], said that: "I was thinking, what if those addicts that I left alone, what if they were to rape my sister? What if they killed my child?" He claimed that "during that time" "no crimes were taking place, aside from the killings of those addicts […] Nobody was getting raped, nobody was getting kidnapped".[566]

VII. THE CHARGED CRIMES

A. Count 1: Murders in or around Davao City during the Mayoral period by the DDS

131. The murders in Count 1, as set out in Incidents 1 to 9, were perpetrated by members of the DDS in or around Davao City between 2013 and around June 2016.[567] As outlined above, the DDS carried out an attack comprised of hundreds of murders during the Mayoral period.[568] The murders in Count 1 are a representative sample of the murders in the attack.

132. [REDACTED]:[569] [REDACTED],[570] while [REDACTED].[571] [REDACTED] reported to a combination of Co-Perpetrators and BUENAVENTURA, who in turn reported to **DUTERTE**, as Mayor of Davao City and Head of the DDS.[572] **DUTERTE** ordered the DDS

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[564] *See e.g.* in relation to DELA ROSA, paras. 22-23, 25-26; DANAO, para. 28; ALBAYALDE, para. 31; LAPEÑA, para. 38.
[565] [REDACTED] at 0023, lines 717-721.
[566] [REDACTED] at 0015-0016, lines 454-493.
[567] *See* Annex D.2: Geographical and temporal distribution of deaths in relation to the War on Drugs in Davao City (1 November 2011 – 30 June 2016).
[568] *See above* paras. 107-109.
[569] *See* Annex D.1.
[570] [REDACTED] at 0003, line 37.
[571] P-0002, PHL-OTP-00015528-R02 at 0011, lines 367-368; [REDACTED] at 0003, line 57, [REDACTED] at 0004, lines 100-101.
[572] *See above* paras. 56-57.

to kill criminals and required that they seek his authorisation to ensure that he approved of the particular individual being killed under this standing order.[573]

133. In Incidents 1 and 2, [REDACTED] killed ten persons alleged to be criminals during DDS operations, after **DUTERTE** had instructed police DDS members to kill these individuals.[574] The DDS stabbed and killed the victims of these incidents after abducting them.

134. In Incidents 3 to 9, [REDACTED] killed nine persons alleged to be criminals during DDS operations [REDACTED] which had been approved by **DUTERTE**.[575] The DDS shot and killed the victims of these incidents in public places and arrived at and/or left the crime scene by motorcycle.

135. The conduct of the DDS operations in Incidents 1 to 9 is consistent with the *modus operandi* of acts [REDACTED]: with the victims shot and killed in public by perpetrators riding-in-tandem, or stabbed after abduction.[576] As set out below, the physical perpetrators meant to cause the victims' deaths or were aware that their deaths would occur in the ordinary course of events.

Incident 1: In or around 2013, members of the DDS [REDACTED] killed three alleged drug pushers, all First Name Unknown ("FNU") Last Name Unknown ("LNU"), in or around San Rafael, Davao City. The three victims [REDACTED].[577]

136. **DUTERTE** instructed police DDS members that there was a job to be done against three alleged drug pushers [REDACTED].[578] DDS [REDACTED] took [REDACTED], Davao

[573] *See e.g.* [REDACTED] at 2630-2632, lines 822-902; P-0002, PHL-OTP-00015501-R01 at 0002, lines 3-38; [REDACTED] at 0003, lines 47-55; [REDACTED] at 0007, lines 217-220; [REDACTED] at 9249-9250, 9252.
[574] [REDACTED] at 0003-0004, lines 66-72, [REDACTED] at 0007-0008, lines 177-206, 220, [REDACTED] at 0006-0007, lines 169-181.
[575] [REDACTED] at 2630-2632, lines 822-902.
[576] *See above* para. 107.
[577] P-0002, PHL-OTP-00000035 at 0004-0005, PHL-OTP-00015535-R01 at 0002-0007, lines 9-213; [REDACTED] at 0014-0015, lines 470-480, [REDACTED] at 0009-0011, lines 235-328, [REDACTED] at 0003-0010, lines 64-281, [REDACTED] at 0002-0010, lines 3-309, [REDACTED] at 0002-0004, lines 2-86, [REDACTED] at 0002-0007, lines 26-202, [REDACTED] at 0005-0006, lines 133-168, [REDACTED] at 0002-0004, lines 3-82, [REDACTED] at 0002-0004, lines 22-101, [REDACTED] at 0004, lines 89-103, [REDACTED] at 0003-0004, lines 50-70, [REDACTED] at 0002-0007, lines 7-33, 60-181, [REDACTED] at 0002-0006, lines 2-151, [REDACTED] at 0002-0006, lines 3-162, [REDACTED] at 0032-0034; [REDACTED] (Translation [REDACTED] at 0041-0056); [REDACTED] at 0009.
[578] [REDACTED] at 0003-0004, lines 64-72, [REDACTED] at 0005-0006, lines 133-168, [REDACTED] at 0003, lines 56-62, [REDACTED] at 0014, lines 470-477. *See also* P-0002, PHL-OTP-00000035 at 0004.

City.[579] [REDACTED] were the targets: three [REDACTED].[580] [REDACTED].[581] The DDS members [REDACTED], Davao City.[582] The [REDACTED] DDS members [REDACTED].[583] [REDACTED].[584] The [REDACTED] DDS [REDACTED] killing them.[585] [REDACTED].[586]

Incident 2: In or around 2013, members of the DDS [REDACTED] seven alleged criminals, all FNU LNU, took them [REDACTED] and killed them [REDACTED], Davao del Norte.[587]

137. **DUTERTE** instructed police officer and DDS handler P-0002 that seven alleged criminals were to be killed in a discrete fashion.[588] [REDACTED] DDS members,[589] who abducted the seven [REDACTED] and took them [REDACTED], Davao Del Norte [REDACTED].[590] There, the DDS group [REDACTED][591] [REDACTED].[592] [REDACTED],[593] [REDACTED],[594] [REDACTED].[595] [REDACTED] killed each [REDACTED].[596] The DDS [REDACTED] received a monetary reward for completing the job.[597]

[579] [REDACTED] at 0004, lines 75-88.
[580] [REDACTED] at 0004, 0007, lines 92, 200-203, [REDACTED] at 0002, lines 3-4, [REDACTED] at 0014, lines 470-477. *See also* P-0002, PHL-OTP-00015535-R01 at 0002, lines 20-24.
[581] [REDACTED] at 0004-0005, lines 98-104, [REDACTED] at 0006, line 149.
[582] [REDACTED] at 0005, lines 107-130, [REDACTED] at 0002, lines 16-23, [REDACTED] at 0002-0004, lines 28-86, [REDACTED] at 0014, lines 470-477.
[583] [REDACTED] at 0002-0004, lines 3-94, [REDACTED] at 0007, lines 178-196, [REDACTED] at 0014, lines 470-477.
[584] [REDACTED] at 0005-0006, lines 132-134, 145-147, [REDACTED] at 0004, lines 81-86, 97-101.
[585] [REDACTED] at 0009-0010, lines 238-268, [REDACTED] at 0004-0005, lines 95-118, [REDACTED] at 0002-0004, lines 77-88, [REDACTED] at 0002, lines 26-27.
[586] [REDACTED] at 0005, line 118, [REDACTED] at 0003, lines 55-56.
[587] [REDACTED] at 0007-0011, lines 177-342, [REDACTED] at 0002-0007, lines 6-181, [REDACTED] at 0002-0004, lines 30-85, [REDACTED] at 0003-0008, lines 45-209, [REDACTED] at 0002-0004, lines 5-75, [REDACTED] at 0003, lines 38-51, [REDACTED] at 0002, lines 14-19, [REDACTED] at 0009, lines 274-276.
[588] [REDACTED] at 0007-0008, lines 177-220, [REDACTED] at 0006-0007, lines 169-181, [REDACTED] at 0002-0004, lines 30-85, [REDACTED] at 0009, lines 274-276, [REDACTED] at 0003, lines 59-60.
[589] [REDACTED] at 0007-0009, lines 177-225.
[590] [REDACTED] at 0008, 0010, lines 236, 283-301, [REDACTED] at 0002, lines 6-10, [REDACTED] at 0003, lines 38-51.
[591] [REDACTED]: [REDACTED] at 0004-0005, lines 91-125; [REDACTED] at 0002, lines 14-19.
[592] [REDACTED] at 0008-0009, lines 236-269.
[593] [REDACTED] at 0008-0009, 0011, lines 236-245, 317-328, [REDACTED] at 0004-0005, lines 91-125.
[594] [REDACTED] at 0010, lines 304-305.
[595] [REDACTED] at 0011, lines 328-330.
[596] [REDACTED] at 0009-0011, lines 273-322, [REDACTED] at 0003, lines 37-53, [REDACTED] at 0005-0008, lines 127-160, 198-209.
[597] [REDACTED] at 0007 lines 174-181.

Incident 3: On or about 4 December 2013, members of the DDS shot and killed three alleged thieves, [REDACTED], [REDACTED] in or around Agdao Public Market, Davao City.[598]

138. [REDACTED] involving three alleged thieves.[599] [REDACTED] located the targets, [REDACTED] in Agdao Market [REDACTED] shot and killed one.[600] They reported to [REDACTED] that the job was done, who in turn informed [REDACTED].[601] [REDACTED] received 30,000 pesos for each person that they killed.[602] This killing was captured on CCTV[603] and contemporaneous news reporting corroborates the date, location and identities of the victims.[604] [REDACTED] noted that the three men were "[REDACTED]".[605]

139. A video of **DUTERTE** watching this incident on Davao City CCTV was posted to YouTube on 18 December 2013.[606] [REDACTED].[607] [REDACTED] and said "it would have been very easy" to hold the killers accountable "if they were really motivated" to do so.[608] However, [REDACTED] **DUTERTE** would "never" ask for these murders to be solved when he had cleared them.[609]

Incident 4: On or about [REDACTED] 2014, members of the DDS shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Davao City.[610]

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[598] [REDACTED] at 2683-2700, lines 17-285, [REDACTED] at 2692-2698, lines 23-210, [REDACTED] at 0005-0006, lines 119-159, [REDACTED] at 0304, [REDACTED] at 0007, lines 177-194; [REDACTED] at 0005-0006, lines 136-147; [REDACTED] at 0012, lines 405-409; [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002), [REDACTED]; PNP, PHL-OTP-00236318 at 0003-0010; [REDACTED], PHL-OTP-00000370 (Translation PHL-OTP-00015671), PHL-OTP-00044816 (Translation PHL-OTP-00237835), PHL-OTP-00044827 (Translation PHL-OTP-00237834).
[599] [REDACTED] at 2685-2690, lines 89-250, [REDACTED] at 2692, lines 11-33.
[600] [REDACTED] at 2683-2690, lines 17-250, [REDACTED] at 2692-2698, lines 23-210; [REDACTED].
[601] *See* [REDACTED] at 2699, lines 236-251; [REDACTED] at 0005-0006, lines 136-147; [REDACTED] at 0012, lines 405-409.
[602] [REDACTED] at 2692-2700, lines 23-285.
[603] Video of DUTERTE, 18 December 2013, PHL-OTP-00000324 (Transcript PHL-OTP-00019382; Translation PHL-OTP-00000564).
[604] [REDACTED], PHL-OTP-00000370 (Translation PHL-OTP-00015671).
[605] [REDACTED], PHL-OTP-00044816 (Translation PHL-OTP-00237835).
[606] Videos of DUTERTE, 18 December 2013, PHL-OTP-00000324 (Transcript PHL-OTP-00019382; Translation PHL-OTP-00000564 at 0002), PHL-OTP-00000321 (Transcript PHL-OTP-00019381; Translation PHL-OTP-00000563 at 0002), PHL-OTP-0001-0007.
[607] [REDACTED] at 2683-2688, lines 17-203; [REDACTED].
[608] [REDACTED] at 0005-0006, lines 119-150.
[609] [REDACTED] at 0006, lines 144-159.
[610] [REDACTED] at 0002-0003, lines 2-51, [REDACTED], 0002-0015, lines 17-466, [REDACTED] at 0002-0003, lines 4-52, [REDACTED] at 0001; [REDACTED] at 0002; PNP, PHL-OTP-00092076 at 0027-0028; SunStar, PHL-OTP-00000422, PHL-OTP-00044849 (Translation PHL-OTP-00237804).

140. [REDACTED] the DDS group [REDACTED].[611] [REDACTED] because he was a pusher.[612] [REDACTED] **DUTERTE** had cleared this killing [REDACTED].[613] [REDACTED] shot and killed [REDACTED].[614] [REDACTED] received 30,000 pesos for this killing.[615] Contemporaneous PNP and news reports [REDACTED] this killing.[616]

Incident 5: On or about [REDACTED] 2014,[617] members of the DDS shot and killed an alleged thief [REDACTED], Davao City.[618]

141. **DUTERTE** authorised the killing of alleged thief [REDACTED].[619] **DUTERTE**'s clearance was conveyed via [REDACTED] and Co-Perpetrator DANAO to [REDACTED] DDS team.[620] [REDACTED] shot and killed him.[621] [REDACTED].[622] [REDACTED].[623] However, [REDACTED].[624]

Incident 6: On or about [REDACTED] 2014, members of the DDS shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Davao City.[625]

142. [REDACTED] alleged that [REDACTED] was a drug pusher [REDACTED].[626] [REDACTED] clearance from "above" to kill [REDACTED].[627] [REDACTED] fired multiple

[611] [REDACTED] at 0003-0004, lines 46-117.
[612] [REDACTED] at 0005-0006, lines 120-137.
[613] [REDACTED] at 0006-0007, 0009-0011, lines 153-171, 268-315.
[614] [REDACTED] at 0007-0009, lines 170-252.
[615] [REDACTED] at 0014, lines 428-434.
[616] [REDACTED] at 0002-0003, lines 4-52; PNP, PHL-OTP-00092076 at 0027-0028; SunStar, PHL-OTP-00000422, PHL-OTP-00044849 (Translation PHL-OTP-00237804).
[617] The Prosecution had previously dated this incident as "[o]n or about [REDACTED] 2014" based on news reports published on this day. However, subsequently obtained police reports confirm that the killing happened on [REDACTED] 2014: PNP, PHL-OTP-00236318 at 0011-0012.
[618] [REDACTED] at 0002-0015, lines 13-446, [REDACTED] at 0002-0011, lines 3-336; [REDACTED] at 0007-0012, lines 191-204, 230-266, 317-384; PNP, PHL-OTP-00236318 at 0011-0012; SunStar, PHL-OTP-00044864 (Translation at PHL-OTP-00000423 at 0003); Mindanao Daily Mirror, PHL-OTP-00090153 at 0001, 0014.
[619] [REDACTED] at 0005-0006, lines 128-147.
[620] [REDACTED] at 0002-0006, lines 13-147.
[621] [REDACTED] at 0006-0008, lines 163-236; SunStar, PHL-OTP-00000423 at 0003; Mindanao Daily Mirror, PHL-OTP-00090153 at 0001, 0014.
[622] [REDACTED] at 0009, lines 269-270.
[623] [REDACTED] at 0010, lines 282-289. *See also* PNP, PHL-OTP-00236318 at 0011-0012.
[624] [REDACTED] at 0010-0015, lines 295-446, [REDACTED] at 0004-0005, lines 83-117; [REDACTED] at 0007-0012, lines 191-204, 230-266, 317-384.
[625] [REDACTED] at 0003-0009, lines 58-271[REDACTED] at 0002-0004, lines 3-88, [REDACTED] at 0001; TV Patrol Southern Mindanao, PHL-OTP-00000426 (Translation PHL-OTP-00001483 at 0002); TV Patrol Southern Mindanao, PHL-OTP-00236162 (Transcript PHL-OTP-00237808; Translation PHL-OTP-00237880 at 0002, lines 2-5).
[626] [REDACTED] at 0004, 0009, lines 79-88, 264-271.
[627] [REDACTED] at 0004, lines 91-105.

shots, killing [REDACTED].[628] [REDACTED].[629] The [REDACTED] received 30,000 pesos for this killing.[630]

Incident 7: On or about [REDACTED] 2014, members of the DDS shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Davao City.[631]

143. [REDACTED][632] [REDACTED].[633] [REDACTED] was a drug pusher[634] and received clearance from "above" for this killing, [REDACTED].[635] In [REDACTED] 2014, [REDACTED] a meeting where DANAO discussed intelligence that [REDACTED] was involved in criminal activity and DANAO said that [REDACTED] was to be killed.[636]

144. [REDACTED] 2014, [REDACTED].[637] [REDACTED].[638] [REDACTED] and shot [REDACTED].[639] [REDACTED] shot [REDACTED] several more times with a .45 calibre firearm, killing [REDACTED].[640] [REDACTED].[641] PNP and contemporaneous news reporting confirm the date, location and victim of this killing.[642]

Incident 8: On or about [REDACTED] 2016, members of the DDS shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Davao City.[643]

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[628] [REDACTED] at 0005-0007, lines 108-189. *See also* TV Patrol Southern Mindanao, PHL-OTP-00000426 (Translation PHL-OTP-00001483 at 0002), PHL-OTP-00236162 (Transcript PHL-OTP-00237808; Translation PHL-OTP-00237880 at 0002, lines 2-5).
[629] [REDACTED] at 0007, lines 194-196.
[630] [REDACTED] at 0009, lines 252-258.
[631] [REDACTED] at 0004, lines 81-93, [REDACTED] at 0002-0013, lines 36-396, [REDACTED] at 0304, [REDACTED] at 0003, [REDACTED] at 0002-0003, [REDACTED] at 0002-0003; PNP, PHL-OTP-00092076 at 0016, PHL-OTP-00236317 at 0047-0060, PHL-OTP-00236318 at 0013-0026; SunStar, PHL-OTP-00000522 (Translation PHL-OTP-00001484); Sunnexdesk, PHL-OTP-00000520 at 0001.
[632] [REDACTED] at 0008, lines 227-228.
[633] [REDACTED] at 0005, lines 112-129; SunStar, PHL-OTP-00000522 (Translation PHL-OTP-00001484), Sunnexdesk, PHL-OTP-00000520 at 0001.
[634] [REDACTED] at 0006, lines 156-163.
[635] [REDACTED] at 0013, lines 374-392.
[636] [REDACTED] at 0012-0013, lines 388-451.
[637] [REDACTED] at 0004-0007, lines 83-198. *See also* PNP, PHL-OTP-00236317 at 0048.
[638] [REDACTED] at 0007, lines 172-202.
[639] [REDACTED] at 0008-0010, lines 204-281.
[640] [REDACTED] at 0009, lines 255-268; PNP, PHL-OTP-00236317 at 0060. *See also* [REDACTED] at 0007, 0012-0014, lines 206-215, 388-485.
[641] [REDACTED] at 0013, lines 394-396.
[642] PNP, PHL-OTP-00092076 at 0016, PHL-OTP-00236317 at 0047-0060, PHL-OTP-00236318 at 0012-0026; SunStar, PHL-OTP-00000522 (Translation PHL-OTP-00001484); Sunnexdesk, PHL-OTP-00000520 at 0001.
[643] [REDACTED] at 2734, lines 70-75, [REDACTED] at 0304, [REDACTED] at 0306, [REDACTED] at 0004-0013, lines 106-392, [REDACTED] at 0002-0013, lines 2-410; PNP, PHL-OTP-00232430 at 0001-0002, PHL-OTP-00236318 at 0027-0043; ABS-CBN, PHL-OTP-00000419 at 0002; SunStar, PHL-OTP-00000374 at 0001; TV Patrol Southern Mindanao, PHL-OTP-00236159 (Transcript PHL-OTP-00237807; Translation PHL-OTP-00237879 at 0002, lines 2-9).

145. A *jetto* [REDACTED] been subject to a [REDACTED],[644] was a drug pusher.[645] [REDACTED].[646] [REDACTED] obtained clearance from **DUTERTE** to kill [REDACTED] DDS group.[647] [REDACTED] shot [REDACTED] with a .45 calibre firearm, killed [REDACTED].[648] [REDACTED] received 30,000 pesos for this killing.[649] Contemporaneous PNP records and local news reporting corroborate the victim's name, and the time and location of this killing.[650]

Incident 9: On or about [REDACTED] 2016, members of the DDS shot and killed alleged drug pusher [REDACTED], Davao City.[651]

146. [REDACTED] about a drug pusher in [REDACTED].[652] [REDACTED].[653] The DDS group [REDACTED].[654] [REDACTED].[655] Once at [REDACTED].[656] [REDACTED] and shot [REDACTED], killing [REDACTED].[657] [REDACTED].[658] [REDACTED].[659] [REDACTED].[660] [REDACTED] 30,000 pesos for the killing, which [REDACTED] "came from DUTERTE".[661] Contemporaneous PNP records and local news [REDACTED].[662]

B. Count 2: Murders of High-Value Targets during the Presidential period

147. The murders in Count 2, as set out in Incidents 10 to 14 and 56 [DELETED] below, were perpetrated by members of the National Network, in particular the PNP and PDEA, in

[644] TV Patrol Southern Mindanao, PHL-OTP-00236159 (Transcript PHL-OTP-00237807; Translation PHL-OTP-00237879 at 0002, lines 2-9).
[645] [REDACTED] at 0010, lines 296-307.
[646] [REDACTED] at 0005-0007, 0010-0013, lines 139-177, 308-392, [REDACTED] at 0002-0003, lines 2-37.
[647] [REDACTED] at 0007, lines 179-182, [REDACTED] at 0003-0004, lines 39-71.
[648] [REDACTED] at 0007, lines 186-201, [REDACTED] at 0004-0008, lines 75-209. *See also* PNP, PHL-OTP-00236318 at 0027, 0034, 0041; ABS-CBN, PHL-OTP-00000419 at 0002; SunStar: PHL-OTP-00000374 at 0001.
[649] [REDACTED] at 0008, lines 213-228.
[650] PNP, PHL-OTP-00232430 at 0001-0002, PHL-OTP-00236318 at 0027-0043; TV Patrol Southern Mindanao, PHL-OTP-00236159 (Transcript PHL-OTP-00237807; Translation PHL-OTP-00237879 at 0002, lines 2-9).
[651] [REDACTED] at 0006-0015, lines 167-473, [REDACTED] at 0002-0013, lines 34-381, [REDACTED] at 0002, 0008-0009, 0011-0012, lines 19-22, 240-277, 345-380, [REDACTED] at 0006-0008, lines 151-220, [REDACTED] at 0005-0009, lines 126-202, [REDACTED] at 0304, [REDACTED] at 0009-0017, lines 248-520, [REDACTED] at 0003-0008, lines 48-236; PNP, PHL-OTP-00232431; Davao Today, PHL-OTP-00000524 at 0001; Sunnexdesk, PHL-OTP-00000421 at 0002.
[652] [REDACTED] at 0015, lines 442-459, [REDACTED] at 0002, lines 19-22. For the location of this killing, see: [REDACTED] at 0009-0017, lines 248-520, [REDACTED].
[653] [REDACTED] at 0015, lines 448-451, [REDACTED] at 0012-0013, lines 348-384.
[654] [REDACTED] at 0015, lines 461-472, [REDACTED] at 0007, 0011-0012, lines 176-196, 311-321, 350-361.
[655] [REDACTED] at 0002, lines 25-27.
[656] [REDACTED] at 0003, 0010-0011, lines 36-40, 299-302.
[657] [REDACTED] at 0003, 0012-0013, lines 38-51, 364-372, 377-381.
[658] [REDACTED] at 0003, lines 53-62.
[659] [REDACTED] at 0004, lines 73-81.
[660] [REDACTED] at 0003-0004, lines 50-101, [REDACTED] at 0004-0005, lines 79-125.
[661] [REDACTED] at 0006-0007, lines 170-204.
[662] PNP, PHL-OTP-00232431; Davao Today, PHL-OTP-00000524 at 0001; Sunnexdesk, PHL-OTP-00000421 at 0002; [REDACTED] at 0003-0008, lines 48-236.

locations across the Philippines during **DUTERTE**'s Presidency between around July 2016 and August 2017.[663] The victims were labelled as "high-value", including for their alleged involvement in illegal drug manufacturing or drug syndicates. As set out above, "Project High Value Target" comprised the upper barrel of Project "Double Barrel", described in CMC No. 16-2016 as "a massive and reinvigorated conduct of anti-illegal drugs operations targeting illegal drugs personalities and drug syndicates".[664] PDEA variously described "High-Value-Targets" as "personalities included in the target list"[665] and "priority target drug personalities, leaders and members of drug groups, and other significant personalities".[666]

148. On multiple occasions during his Presidency, as he did with certain targets while Mayor of Davao City,[667] **DUTERTE** identified high-value targets by publicly naming or holding up charts or lists of individuals purportedly involved in the illegal drug trade or other forms of criminality.[668] **DUTERTE**'s targets included prison inmates who he alleged continued to control the supply of illegal drugs. For example, in a speech on 1 July 2016 he stated: "[t]here's always a time for you to be in control even if you are inside the prison. But there is always a time for you to rest and to die."[669] **DUTERTE** also targeted public officials, for example, naming 150 officials he alleged to be involved in the illegal drug trade during a televised press conference on 7 August 2016 and asserting:[670] "wherever you go, I will be waiting for you. Even if I'm no longer president, as long as I have a gun."[671] Named officials included: Rolando ESPINOSA, Mayor of Albuera, Leyte Province (Incident 13); Reynaldo PAROJINOG, Mayor of Ozamiz City, Misamis Occidental Province (Incident 14); and [REDACTED].[672]

149. PNP officer Jovie ESPENIDO ("ESPENIDO"), who was transferred into the same regions as ESPINOSA and then PAROJINOG (Region 8 (Eastern Visayas) and 10 (Northern Mindanao), respectively) a few months before their murder,[673] was subsequently awarded a

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[663] *See* Annex E.
[664] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0264.
[665] PDEA, PHL-OTP-0003-2623 at 0008.
[666] PDEA, PHL-OTP-00036900 at 0030.
[667] *See above* para. 9.
[668] *See above* para. 91.
[669] PCOO Video of DUTERTE's Speech, 1 July 2016, PHL-OTP-00089098 (Transcript PHL-OTP-00099834; Translation PHL-OTP-00099844 at 0003, lines 54-56). *See also* Video of DUTERTE's Speech, 7 July 2016, PHL-OTP-00015326 (Transcript PHL-OTP-00015608; Translation PHL-OTP-00015611 at 0002-0004). *See also* [REDACTED], PHL-OTP-00250462 at 0003, paras. 7-8.
[670] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419 at 0003). *See also* PCOO, PHL-OTP-00001748 at 0003-0004.
[671] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419 at 0003).
[672] [REDACTED].
[673] PNP, PHL-OTP-00000212 at 0003. *See also below* Incidents 13 and 14.

medal by **DUTERTE**.[674] During a speech at the medal ceremony on 28 August 2017, **DUTERTE** stated: "ESPENIDO, where are you? […] You asked for the assignment in LEYTE. The mayor there died. You asked for another assignment in OZAMIZ, the mayor there died, PAROJINOG. Now, you want to be in ILOILO, because MABILOG has been identified as a protector Mayor. I wonder, will he live?"[675] [REDACTED][676] [REDACTED].[677] [REDACTED].[678]

150. As noted above, a prominent "target list" used for high-value targets was the PRRD List (referring to the initials of "President Rodrigo Roa Duterte"),[679] which categorised targets by tier according to their assigned 'value' (Levels 1 to 5).[680] [REDACTED] described the PRRD List as essentially being a death list: "if you are on the list you will be killed".[681] At least 221 individuals listed in the PRRD List were killed.[682] Police who killed a target on the list could access a covert reward system, with the payment depending on the level of the target.[683]

151. The majority of the victims in Count 2 were listed on the PRRD List and all were part of the main groups targeted pursuant to Project HVT: alleged drug pushers (Incident 10), alleged high-level drug manufacturers, including [REDACTED] (Incidents 11, 12 and 13), [DELETED] elected officials, such as mayors, who were alleged to be involved in illegal drugs (Incidents 13, 14, 56 [DELETED]). As set out below, the typical pattern was that listed individuals were murdered by members of the National Network, then evidence would be falsified to suggest a victim was killed in self-defence and rewards were paid. As also set out

[674] PNP, PHL-OTP-00091942 at 0022; GoPHL, PHL-OTP-00097302 at 0001; Inquirer, PHL-OTP-00249609.
[675] PCOO, Video of DUTERTE's Speech, 28 August 2017, PHL-OTP-00100824 (Transcript PHL-OTP-00249347 at 0002; Translation PHL-OTP-00249381 at 0002). ESPENIDO was transferred from Ozamis City in PRO 10 to PRO 6 on 29 August 2017 before transferring back to PRO 10 on 1 September 2017 (with a retroactive effectivity date of 29 August 2017), *see* PNP, PHL-OTP-00000212 at 0003.
[676] [REDACTED].
[677] [REDACTED], PHL-OTP-00088630-R01 at 0004, lines 77-92, PHL-OTP-00015241-R01 (Translation PHL-OTP-00249149)), PHL-OTP-00088629-R01 at 0024 822-832, PHL-OTP-00088630-R01 at 0002, lines 30-36; [REDACTED], PHL-OTP-00015239-R01 at 0002-0003, paras. 4-10, PHL-OTP-00015240-R01 at 0001-0002, 0004-0005, paras. 4-10, 17; GoPHL, PHL-OTP-00015236-R01 at 0001-0010, PHL-OTP-00015237 at 0001-0004.
[678] [REDACTED], PHL-OTP-00088630-R01 at 0007, lines 178-182, PHL-OTP-00015239-R01, para. 13, PHL-OTP-00015240-R01, para. 13; [REDACTED], PHL-OTP-00015248-R01.
[679] *See above* para. 5.
[680] [REDACTED], PRRD List, PHL-OTP-00015357, Tab legend; [REDACTED], PRRD List, PHL-OTP-00019404, Tab legend; Open source, PRRD List, PHL-OTP-00015098, Tab legend; PDEA, PHL-OTP-00092260 at 0248, PHL-OTP-00092264 at 0199.
[681] [REDACTED], PHL-OTP-00015486-R02 at 0009, lines 260-261.
[682] P-1439, PHL-OTP-00250462 at 0046, 0059-0084, paras. 63-64.
[683] [REDACTED] at 0022, 0024, 0045-0047, lines 747-758, 821-830, 1568-1615. *See also* [REDACTED] at 0018-0019, lines 584-641; [REDACTED], PRRD List, PHL-OTP-00019404, Tab legend; PDEA, PHL-OTP-00092260 at 0248.

below, the physical perpetrators of the murders in Count 2 meant to cause the victims' deaths or were aware that their deaths would occur in the ordinary course of events.

Incident 10: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Manila. The victim was listed as a 'High-Value Target' and "known drug personality" on the PRRD List. [684]

152. [REDACTED] was listed as a Level 3 "known drug personality" in the PRRD List[685] and as a pusher/user in the drug watchlist of [REDACTED].[686] On or about [REDACTED] 2016,[687] police officers [REDACTED][688] [REDACTED],[689] were told [REDACTED][690] [REDACTED] that [REDACTED][691] [REDACTED], after which [REDACTED].[692] [REDACTED], the [REDACTED] team went to [REDACTED].[693] [REDACTED] with a gun and drugs, [REDACTED].[694] [REDACTED] went inside [REDACTED],[695] immediately after which, [REDACTED].[696] [REDACTED].[697] [REDACTED] planted drugs and a gun on [REDACTED].[698] [REDACTED].[699]

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[684] [REDACTED] at 0006, lines 157-172, [REDACTED] at 0002, 0004, 0008-0010, lines 12-19, 73-96, 239-303, [REDACTED] at 0002-0007, lines 2-215, [REDACTED] at 0002-0017, lines 17-546, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00236384, PHL-OTP-00240375, PHL-OTP-00240376, PHL-OTP-00076178 at 0002, PHL-OTP-00016625, PHL-OTP-00016626, PHL-OTP-00016627, PHL-OTP-00016628, PHL-OTP-00016629, PHL-OTP-00016630, PHL-OTP-00016631, PHL-OTP-00016632, PHL-OTP-00016633, PHL-OTP-00016634, PHL-OTP-00016635, PHL-OTP-00016636, PHL-OTP-00016637, PHL-OTP-00016638, PHL-OTP-00016639, PHL-OTP-00016640, PHL-OTP-00016641, PHL-OTP-00016642, PHL-OTP-00016643, PHL-OTP-00016644, PHL-OTP-00000145 at 0119, 0122, 0125; [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED], [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED]; GMA, PHL-OTP-00019324 (Translation PHL-OTP-00088877); Photograph, PHL-OTP-00019326 (Translation PHL-OTP-00091793), PHL-OTP-00019327; Patrol TV, PHL-OTP-00019329 (Transcript PHL-OTP-00090759; Translation PHL-OTP-00090763); PDEA, PHL-OTP-00092260 at 0060, row [REDACTED], PHL-OTP-00092261 at 0244, row [REDACTED], PHL-OTP-00092264 at 0075, row [REDACTED].

[685] [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED].

[686] PNP, PHL-OTP-00016626.

[687] [REDACTED] at 0003, lines 40-52; PNP, PHL-OTP-00016626.

[688] [REDACTED] at 0006, lines 161-168.

[689] [REDACTED], *see* [REDACTED] at 0002, lines 12-19.

[690] [REDACTED] at 0006, lines 157-172.

[691] [REDACTED] at 0004-0005, lines 91-118.

[692] [REDACTED] at 0006, lines 138-145, [REDACTED] at 0003, lines 40-67.

[693] [REDACTED] at 0005-0007, lines 128-205. *See also e.g.* PNP, PHL-OTP-00016626, PHL-OTP-00016643.

[694] [REDACTED] at 0005-0007, 0016, lines 128-205, 497-513, [REDACTED] 0006-0007, lines 153-176; PNP, PHL-OTP-00016643.

[695] [REDACTED] at 0008, lines 213-218.

[696] [REDACTED] at 0010-0011, 0014, lines 291-318, 420-423.

[697] [REDACTED] at 0011-0012, 0013, lines 320-368, 388-401.

[698] [REDACTED] at 0006, 0012-0013, lines 160-173, 369-387, [REDACTED] at 0007, lines 176-189.

[699] [REDACTED] at 0013, 0015, lines 400-401, 462-485, [REDACTED] at 0007, line 192.

153. According to [REDACTED], the police affidavit, which described a "buy-bust operation" [REDACTED][700] was "invented" and the report signature attributed to him was not his; the only correct information was the date, time, location and name of the victim.[701] The National Police Commission ("NAPOLCOM") dismissed a case against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[702]

Incident 11: On or about [REDACTED] 2016, [REDACTED] under the instruction of police and with the assistance of [REDACTED] stabbed and killed alleged drug manufacturers [REDACTED] and [REDACTED]. The [REDACTED] were all listed as 'High-Value Targets' and "drug lords" on the PRRD List.[703]

154. [REDACTED] were [REDACTED] listed as "Level 4" "drug lords" on the [REDACTED] spreadsheet of the PRRD List.[704] [REDACTED].[705]

155. In [REDACTED] 2016,[706] police officer [REDACTED] from [REDACTED] instructed [REDACTED],[707] [REDACTED], to kill the [REDACTED] drug lords[REDACTED], for a reward of [REDACTED].[708] [REDACTED] told [REDACTED][709] and that **DUTERTE** was

[700] PNP, PHL-OTP-00016643.
[701] [REDACTED] at 0002, 0005, lines 17-23, lines 103-122, [REDACTED] at 0007, 0016, lines 188-205, 514-522; PNP, PHL-OTP-00016643.
[702] PNP, PHL-OTP-00240376 at 0001-0002.
[703] [REDACTED] at 0011-0056, lines 314-1861; [REDACTED] at 0009-0056, lines 258-1875; [REDACTED] at 0004-0018, 0021-0024, lines 100-583, 689-809; [REDACTED] at 0002, 0005, 0007-0008, 0023-0024, lines 15-32, 133-179, 217-241, 765-803, [REDACTED] (Translation [REDACTED]), [REDACTED] (Translation [REDACTED]), [REDACTED] (Translation [REDACTED]); GoPHL, PHL-OTP-00014890 at 0017-0027, PHL-OTP-00014892 (Translation PHL-OTP-00017738), PHL-OTP-00015560 (Translation PHL-OTP-00088449), PHL-OTP-00015567 (Translation PHL-OTP-00017647), PHL-OTP-00238194 (Translation PHL-OTP-00249743 at 0001, paras. 5-7); [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED]; PNP, PHL-OTP-00236342, PHL-OTP-00236343, PHL-OTP-00095550; PDEA, PHL-OTP-00092260 at 0206-0207, PHL-OTP-00092261 at 0054, PHL-OTP-00092262 at 0174-0175; [REDACTED].
[704] [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED].
[705] *See above* para. 40.
[706] [REDACTED] at 0013-0014, 0048, lines 368-429, 1587-1596.
[707] [REDACTED] at 0002, 0005, 0007-0008, lines 32-41, 133-144, 217-241; [REDACTED] at 0009-0011, lines 264-327.
[708] [REDACTED] at 0005, 0007-0008, lines 133-141, 217-241; [REDACTED] at 0051, lines 1671-1679; [REDACTED] at 0009-0012, 0022, lines 258-295, 330-362, 695-705; GoPHL, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0002, para. 9).
[709] [REDACTED] at 0051, lines 1671-1677; [REDACTED] at 0022, lines 695-705.

[REDACTED] at the [REDACTED] because "they are drug lords".[710] [REDACTED],[711] that he had [REDACTED] to identify detainees involved in drugs.[712] [REDACTED], had "something cooking" in relation to drug suspects [REDACTED].[713]

156. After the police coordinated with [REDACTED], [REDACTED] facilitated the killing by [REDACTED].[714] On [REDACTED] 2016 [REDACTED] stabbed and killed [REDACTED], while [REDACTED] stabbed and killed [REDACTED].[715]

157. [REDACTED][716] and the victims' names were recorded as "[n]eutralized" in the PRRD List.[717] A few days later, [REDACTED] the reward for the killing of the [REDACTED].[718] When **DUTERTE** learned about what happened [REDACTED], he was happy [REDACTED].[719] [REDACTED][720]

158. [REDACTED] was "very determined" to kill the victims because [REDACTED], [REDACTED] "because it's the president who's behind this".[721] He found [REDACTED].[722]

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[710] [REDACTED] at 0010, 0019, 0023, lines 284, 598-600, 744-745. *See also* [REDACTED] at 0023, 0030, lines 720-721, 970-971; GoPHL, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0002, para. 10).
[711] [REDACTED] they had a "police operation" against them. *See* [REDACTED] at 0001, para. 5, [REDACTED] at 0001, paras. 12-15, [REDACTED] at 0001, paras 15-16, [REDACTED] at 0001, para. 21, [REDACTED] (Translation [REDACTED] at 0001, paras. 15-17), [REDACTED] (Translation [REDACTED], paras. 2-7); [REDACTED] at 0004, 0008-0009, lines 100-116, 259-286; [REDACTED] at 0041, lines 1352-1361; GoPHL, PHL-OTP-00017738 at 0002, paras. 2-7; PHL-OTP-00238194 (Translation PHL-OTP-00249743 at 0001, paras. 5-7); PNP, PHL-OTP-00095550 at 0066-0067. [REDACTED]. *See* [REDACTED] at 0012, 0014-0016, 0025, lines 392-395, 452-540, 839-850.
[712] [REDACTED] at 0008, lines 234-236.
[713] [REDACTED]. *See* [REDACTED] at 0002-0003, 0007-0008, lines 15-32, 43-49, 217-241, [REDACTED] at 0004, para. 28; [REDACTED] at 0004, lines 100-116.
[714] [REDACTED] at 0015-0017, 0052-0053, lines 460-539, 1703-1733; [REDACTED] at 0011-0014, 0031, lines 330-422, 990-1020; GoPHL, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0001-0003, paras. 6-19), PHL-OTP-00015567 (Translation PHL-OTP-00017647 at 0001, paras. 7-11), PHL-OTP-00014890 at 0017-0021. [REDACTED]: *see* [REDACTED] at 0003, lines 51-74; [REDACTED] at 0041-0042, 0054-0055, lines 1352-1370, 1797-1811, [REDACTED] (Translation [REDACTED] at 0001, para. 19); [REDACTED] at 0005-0006, 0012-0016, lines 136-168, 399-517. [REDACTED]: *see* [REDACTED] at 0002, paras. 2-6.
[715] [REDACTED] at 0018-0023, 0028-0035, 0053, lines 541-721, 883-1147, 1734-1750; [REDACTED] at 0014, 0031-0036, lines 425-433, 1021-1162; [REDACTED] at 0006-0007, 0016-0017, lines 164-197, 518-568; GoPHL, PHL-OTP-00014890 at 0025-0027, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0004, paras. 20-23), PHL-OTP-00015567 (Translation PHL-OTP-00017647 at 0002, paras. 12-15).
[716] [REDACTED] at 0021-0022, 0035-0042, lines 665-691, 1149-1395; [REDACTED] at 0016-0017, 0043-0046, lines 501-529, 1411-1503; GoPHL, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0005-0006, paras. 33--35), PHL-OTP-00015567 (Translation PHL-OTP-00017647 at 0002, para. 19).
[717] [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED]; PDEA, PHL-OTP-00092260 at 0206-0207, PHL-OTP-00092261 at 0054, PHL-OTP-00092262 at 0174-0175.
[718] [REDACTED] at 0003, 0010-0011, lines 76-83, 326-343.
[719] [REDACTED] at 0004, 0020, lines 85-89, 671-683.
[720] [REDACTED] at 0015, lines 451-478; [REDACTED] at 0020-0021, lines 612-652; GoPHL, PHL-OTP-00015560 (Translation PHL-OTP-00088449 at 0005, paras. 28-30).
[721] [REDACTED] at 0012, 0014, 0023, lines 355-356, 411-412, 710-713.
[722] [REDACTED] at 0023-0024, lines 738-754.

[REDACTED] was further motivated because he felt that killing drug lords was a "cause for the country" and the "goal" of **DUTERTE**.[723]

Incident 12: On or about [REDACTED] 2016, a team comprised of personnel from the PNP and PDEA shot and killed alleged drug manufacturers [REDACTED] and [REDACTED].[724]

159. In the first months of **DUTERTE**'s presidency, he and other Co-Perpetrators alleged that "Chinese" individuals and syndicates were at the heart of the illegal drug problem in the Philippines.[725] Pursuant to the informal rewards system, police could receive 1,000,000 pesos for killing a Chinese drug lord, who were generally classified as "Level 4" high-value targets.[726] On 22 July 2016, after the killing of Chinese national with the alias Mico TAN ("TAN"), DELA ROSA described TAN as "the first Chinese drug lord, a pure Chinese from mainland China" to be killed but, "[j]ust wait, just wait. Be patient and we'll still be able to kill many high-value targets".[727]

160. [REDACTED] a team from the [REDACTED] and received intelligence that there was a *shabu* (methamphetamine) [REDACTED].[728] [REDACTED] and [REDACTED] took the decision to kill [REDACTED] alleged to be [REDACTED] to "satisfy the requirement of DUTERTE", who they understood to be "asking for a Chinese national […] to be neutralised".[729] A team comprised of personnel from [REDACTED] and local and regional

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[723] [REDACTED] at 0023, lines 717-721.

[724] [REDACTED] at 0024-0033, lines 825-1132**,** [REDACTED] at 0002-0027, lines 25-910, [REDACTED] at 0002-0004, lines 22-99, [REDACTED] at 0011-0022, lines 361-728; [REDACTED] at 0022, lines 749-771; [REDACTED] at 0017-0032, lines 544-1061; PNP, PHL-OTP-0003-2523 at 0009, PHL-OTP-00017571 at 0030, PHL-OTP-00015317, PHL-OTP-00019397, PHL-OTP-0005-0259 at 0002, PHL-OTP-00092076 at 0001, rows [REDACTED] and [REDACTED], 0004, row [REDACTED], 0132-0140, 0142-0143, 0144-0145, PHL-OTP-00092090 at 0003-0011, 0012-0026, 0027, 0028-0040, 0043-0048, PHL-OTP-00236357, PHL-OTP-0001-2369 at 2412, PHL-OTP-0005-0476 at 0519, PHL-OTP-00092075 at 0006, PHL-OTP-00236318 at 0002, PHL-OTP-00247623 at 0058, PHL-OTP-00248989 at 0001-0002; Video of DUTERTE's Speech, [REDACTED], PHL-OTP-00015326 (Transcript PHL-OTP-00015608; Translation PHL-OTP-00015611 at 0002-0003, lines 31-36, 58-60, 66-70); Video of DELA ROSA's Speech, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0004-0005, lines 98-133); Video of DELA ROSA's Speech, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); PhilStar, PHL-OTP-00015173-R01; Manila Times, PHL-OTP-00015346.

[725] *See e.g.* Video of DUTERTE's Speech, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002-0003, lines 31-36, 58-60, 66-70); PNP, PHL-OTP-0005-0259 at 0002.

[726] [REDACTED] at 0022, lines 749-771; [REDACTED] at 0009-0011, lines 264-327.

[727] Video of DELA ROSA's Interview, 22 July 2016, PHL-OTP-00015288 (Transcript PHL-OTP-00015603; Translation PHL-OTP-00015613 at 0002-0003, lines 20-23, 64-68).

[728][REDACTED] at 0024-0026, 0028, 0030-0031, lines 825-871, 942-948, 1043-1077, [REDACTED] at 0002-0004, 0010, lines 30-100, 290-306. *See also* [REDACTED] at 0017, 0019, 0024, lines 544-554, 627-631, 797-801; PNP, PHL-OTP-0003-2523 at 2531, PHL-OTP-00019397.

[729] [REDACTED] at 0027-0028, lines 905-938, [REDACTED] at 0004-0006, lines 101-178, [REDACTED] at 0011-0012, lines 361-376.

police located and abducted [REDACTED].[730] They staged an exchange of gunfire and [REDACTED], where they shot and killed them.[731] The team planted firearms by the victims' bodies.[732] The police falsely claimed that these victims were killed in legitimate self-defence during an exchange of fire following the implementation of a search warrant.[733] [REDACTED] team received a reward for this killing [REDACTED].[734] The following day, [REDACTED].[735] [REDACTED].[736] It praised the incident as an "accomplishment" of Double Barrel.[737]

Incident 56: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug personality [REDACTED],[738] in or around [REDACTED]. The victim was listed as a user in the Drugs Personalities watchlist and as a 'High-Value Target' in the [REDACTED] watchlist.[739]

161. [REDACTED] was a [REDACTED][740] suspected of involvement in drugs.[741] [REDACTED] also appeared as a user in the Drugs Personalities watchlist and as a Level 1 High-Value Target in the [REDACTED] watchlist.[742]

162. **DUTERTE** instructed [REDACTED] in the drug industry.[743] In compliance with **DUTERTE**'s instructions, [REDACTED] and told [REDACTED] DUTERTE."[744]

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[730] [REDACTED] at 0031, lines 1058-1077, [REDACTED] at 0006-0026, lines 180-852, [REDACTED] at 0002-0004, lines 22-99; PNP, PHL-OTP-00092076 at 0132-0140, PHL-OTP-00092090 at 0003-0011, 0012-0026.
[731] [REDACTED] at 0031-0032, lines 1074-1106, [REDACTED], 0017-0020, lines 557-660; [REDACTED] at 0020, 0027, lines 640-647, 901-909; PNP, PHL-OTP-00017571 at 0030.
[732] [REDACTED] at 0032, line 1098, [REDACTED] at 0025, lines 815-824, [REDACTED] at 0004, lines 87-99; [REDACTED] at 0026-0028, lines 851-860, 880-900.
[733] PNP, PHL-OTP-00236357.
[734] [REDACTED] at 0013-0016, lines 435-517. *See also* [REDACTED] at 0025-0026, lines 851-871, 0033, lines 1117-1132.
[735] [REDACTED] at 0032, lines 1108-1115, [REDACTED] at 0026-0027, lines 853-910; PNP, PHL-OTP-00015317 at 0001; Manila Times, PHL-OTP-00015346 at 0001.
[736] PNP, PHL-OTP-00015317 at 0001. *See also* PhilStar, PHL-OTP-00015173-R01.
[737] PNP, PHL-OTP-00015317 at 0001, PHL-OTP-0003-2523 at 0001, 0009.
[738] Alternative spellings: [REDACTED].
[739] [REDACTED] at 0002-0007, lines 32-35, 43-48, 54-81, 131-135, 159-178, [REDACTED] at 0015-0021, 0024-0026, lines 472-478, 485-486, 491-493, 517-547, 565, 569-578, 582-584, 587, 629-690, 693-703, 821-870; PNP, PHL-OTP-00064300 at 0001-0002, PHL-OTP-00064337 at 0003, PHL-OTP-00248623 at 0001-0002; Inquirer, PHL-OTP-0001-2369 at 0043, PHL-OTP-00247623 at 0056.
[740] [REDACTED]. During **DUTERTE**'s anti-illegal drug campaign they sat as members [REDACTED]. *See* [REDACTED] at 3480-3481.
[741] [REDACTED] at 0002, lines 32-35, [REDACTED] at 0015, 0019, lines 491-493, 629-644. [REDACTED] was also referred to as a [REDACTED] in the media, and by the PNP, *see* Inquirer, PHL-OTP-0001-2369 at 0043, PHL-OTP-00247623 at 0056; PNP, PHL-OTP-00064300 at 0001.
[742] PNP, PHL-OTP-00064300 at 0002, PHL-OTP-00248623 at 0001-0002.
[743] [REDACTED] at 0002, 0004, lines 33-35, 78-79, [REDACTED] at 0019-0021, lines 629-690.
[744] [REDACTED] at 0003-0004, lines 43-45, 78-79, [REDACTED] at 0015, lines 477-478, 485-486.

163. On [REDACTED] 2016, [REDACTED] PNP personnel[745] went to [REDACTED], as well as some local police who were there to provide [REDACTED].[746] [REDACTED] **DUTERTE** who ordered him to kill [REDACTED][747] [REDACTED] the team leader "sir, kill him as ordered."[748] The team leader entered [REDACTED] and began shooting and [REDACTED] was killed.[749] [REDACTED], executed" [REDACTED][750]

164. The police falsely claimed that [REDACTED] was killed in self-defence while implementing a search warrant in relation to Project Double Barrel.[751] A reward was paid for [REDACTED] murder.[752]

Incident 13: On or about 5 November 2016, PNP personnel shot and killed Rolando Rosal ESPINOSA Snr and Raul YAP while the victims were in custody at the Leyte Sub-Provincial Jail, Baybay City, Leyte. ESPINOSA and YAP were both listed as 'High-Value Targets' and 'drug lords' on the PRRD List.[753]

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[745] The PNP reported the participation of the following units: [REDACTED], *see* PHL-OTP-00064300 at 0001. [REDACTED], *see also* PHL-OTP-00248623 at 0001.
[746] [REDACTED] at 0006, lines 159-167, [REDACTED] at 0016-0018, lines 517-557, 569-578; PNP, PHL-OTP-00064300 at 0001.
[747] [REDACTED] at 0003-0004, 0006, lines 47-48, 62-64, 164-165, [REDACTED] at 0015, 0017, 0021, lines 472-491, 569-571 686-690.
[748] [REDACTED] at 0006, lines 165-166, [REDACTED] at 0017, line 565.
[749] [REDACTED] at 0018, lines 582-584; PNP, PHL-OTP-00064300 at 0001; Inquirer, PHL-OTP-00247623 at 0056. *See also* PNP, PHL-OTP-00064337 at 0003. [REDACTED], who were present during the [REDACTED]. *See* [REDACTED] at 0003-0007, lines 54-81, 131-135, 168-178, [REDACTED] at 0024-0026, lines 821-870.
[750] [REDACTED] at 0018, line 587.
[751] PNP, PHL-OTP-00248623, PHL-OTP-00064300 at 0001; Inquirer, PHL-OTP-00247623 at 0056. *See also* PNP, PHL-OTP-00064337 at 0003.
[752] [REDACTED] at 0021, lines 693-703.
[753] PCOO Video of DUTERTE's Speech, 5 August 2016, PHL-OTP-00089185 (PCOO Transcript PHL-OTP-00089186; Translation PHL-OTP-00093034 at 0004); PCOO Video of DUTERTE's Speech, 13 March 2017, PHL-OTP-00089707 (PCOO Transcript PHL-OTP-0003-3224; Translation PHL-OTP-00095237 at 0027-0028); PCOO Video of DUTERTE's Speech, 31 March 2017, PHL-OTP-00089774 (Transcript PHL-OTP-00232478; Translation PHL-OTP-00232530 at 0006); PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0008); PCOO, PHL-OTP-00001748 at 0003-0004; Inquirer, Video of DELA ROSA's Interview, 26 July 2017, PHL-OTP-00015276 (Transcript PHL-OTP-00015618; Translation PHL-OTP-00015620 at 0002); Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00095657; Translation PHL-OTP-00095658 at 0003); Inquirer, Video of [REDACTED] Interview, PHL-OTP-00015279 (Transcript PHL-OTP-00015726; Translation PHL-OTP-00015743 at 0002, lines 7-15); [REDACTED] at 0005-0007, paras. 25, 34, 39-40, 43, 47-48, [REDACTED] (Translation [REDACTED] at 0001-0002, paras. 6, 8-11); [REDACTED] at 0025-0026, lines 869-912, [REDACTED] at 0005-0006, [REDACTED] at 0019-0020, lines 610-648, [REDACTED] at 0049-0050, lines 1697-1729; [REDACTED], PHL-OTP-00090412-R01 at 0004, para. 15, PHL-OTP-00088554-R01 (Translation PHL-OTP-00088616-R01 at 0001-0002, para. 1-4, 12); [REDACTED] at 0018, 0023, lines 633-649, 833-847; [REDACTED] at 0022-0027, lines 742-770, 815-925; [REDACTED] at 0005, lines 127-128; [REDACTED], PRRD List, PHL-OTP-00015357, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 259, Tab BJMP, row 240; [REDACTED], PRRD List, PHL-OTP-00019404, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 205, Tab BJMP, row 240; Open source, PRRD List, PHL-OTP-00015098, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 259, Tab BJMP, row 237; PNP, PHL-OTP-00062063 at 0003, 0007-0009, 0011, 0013, paras. 4, 16-20, 25-26, PHL-OTP-00000160 at 0057-0058, PHL-OTP-00236393 at 0002; GoPHL, PHL-OTP-00014895 at 0002-0003, paras. 6-7, PHL-OTP-00015101

165. The Mayor of Albuera in Leyte, ESPINOSA, and [REDACTED] were both listed as Level 4 High-Value Targets on the Region 8 (Eastern Visayas) spreadsheet of the PRRD List.[754] Raul YAP ("YAP") was listed as a Level 3 High-Value Target "drug lord" on the "BJMP"[755] spreadsheet of the PRRD List.[756]

166. On [REDACTED] 2016, **DUTERTE** gave [REDACTED].[757] [REDACTED],[758] but, the following day, [REDACTED].[759] On 5 August 2016, **DUTERTE** said that it was "good" that ESPINOSA had surrendered to DELA ROSA because "I had him tracked down, shoot on sight. Like a dog. That's how I really think of you who are – there, you're like dogs. You are treating the people like dogs".[760] As noted above, during a televised press conference on 7 August 2016, **DUTERTE** claimed that ESPINOSA was one of 150 officials involved in the illegal drug trade.[761] Following ESPINOSA's surrender to DELA ROSA, he was turned over to Jovie ESPENIDO who held him in protective custody until an order was made for his detention at Baybay City Sub-Provincial Jail, Leyte.[762] While in ESPENIDO's protective custody ESPINOSA submitted affidavits which contained the names of PNP officials and personnel who received money from his drug operations.[763] During [REDACTED] 2016, at least [REDACTED], were killed on various dates and in various locations by police and/or unidentified assailants.[764]

(Translation PHL-OTP-00090696 at 0352-0355), PHL-OTP-00017688 at 0005-0006, 0023-0028; GMA, PHL-OTP-0003-2293, PHL-OTP-0003-1703 at 0002-0003, PHL-OTP-0003-2295; ABS-CBN, PHL-OTP-0003-1383; Sydney Morning Herald, PHL-OTP-0003-0574 at 0575-0576; Inquirer, PHL-OTP-0003-1327 at 1327-1328, PHL-OTP-0005-1367 at 1368, 1370; Manila Times, PHL-OTP-0003-2296; For the timeline of Incident 13, *see* Annex J.1: Timeline of events – Incident 13.

[754] [REDACTED], PRRD List, PHL-OTP-00015357, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 259; [REDACTED], PRRD List, PHL-OTP-00019404, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 205; Open source, PRRD List, PHL-OTP-00015098, Tab Reg. (8) Eastern Visayas, rows [REDACTED], 259.

[755] "BJMP" is an abbreviation of Bureau of Jail Management and Penology: the DILG agency which operates district, city and municipal jails, *see* Congress of the Philippines, Republic Act No. 6975, 13 December 1990, PHL-OTP-0003-3321, Sections 6 and 61-63.

[756] [REDACTED], PRRD List, PHL-OTP-00015357, Tab BJMP, row 240; [REDACTED], PRRD List, PHL-OTP-00019404, Tab BJMP, row 240; Open source, PRRD List, PHL-OTP-00015098, Tab BJMP, row 237.

[757] GMA, PHL-OTP-0003-2293.

[758] [REDACTED], PHL-OTP-00088554-R01 (Translation PHL-OTP-00088616-R01 at 0001, paras. 1-2); GoPHL, PHL-OTP-00017688 at 0006; GMA, PHL-OTP-0003-1703 at 0002, PHL-OTP-0003-2295.

[759] [REDACTED], PHL-OTP-00088554-R01 (Translation PHL-OTP-00088616-R01 at 0001, paras. 3-4); GoPHL, PHL-OTP-00017688 at 0005.

[760] PCOO Video of DUTERTE's Speech, 5 August 2016, PHL-OTP-00089185 (PCOO Transcript PHL-OTP-00089186; Translation PHL-OTP-00093034 at 0004); PNP, PHL-OTP-00062063 at 0007-0008, para. 16. *See also* Sydney Morning Herald, PHL-OTP-0003-0574 at 0002-0003; Inquirer, PHL-OTP-0003-1327 at 0001-0002.

[761] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00095657; Translation PHL-OTP-00095658 at 0003). *See also* PCOO, PHL-OTP-00001748 at 0003-0004.

[762] GoPHL, PHL-OTP-00014895 at 0002-0003, para. 6.

[763] GoPHL, PHL-OTP-00014895 at 0003, para. 7; PNP, PHL-OTP-00062063 at 0008, para. 18.

[764] PNP, PHL-OTP-00000160 at 0057-0058, PHL-OTP-00062063 at 0008, para. 17; GoPHL, PHL-OTP-00017688 at 0024-0028; GMA, PHL-OTP-0003-1703 at 0003, PHL-OTP-0003-2295.

167. In October 2016, [REDACTED][765] [REDACTED].[766]

168. On 5 October 2016, ESPINOSA was arrested and detained at Baybay City Sub-Provincial Jail, Leyte in a cell near YAP.[767] On 5 November 2016 at approximately 03h00, police from CIDG 8 purported to serve search warrants on ESPINOSA and YAP in their cells.[768] The police [REDACTED][769] and later claimed that there was a "shoot-out" between the detainees and the officers which killed ESPINOSA and YAP.[770] [REDACTED].[771] [REDACTED] "they killed a defenceless man".[772] [REDACTED].[773] [REDACTED].[774] Both ESPINOSA's and YAP's names were recorded as "[n]eutralized" in the PRRD List.[775]

169. After a Senate inquiry found that ESPINOSA's killing had been premeditated, **DUTERTE** said that he would "believe the police rather than other people".[776] **DUTERTE** called the deceased ESPINOSA a "son of a bitch" and, after citing multiple allegations of police murders, **DUTERTE** said that he would pardon and reinstate any convicted police with a "promotion two ranks higher".[777] **DUTERTE** ordered that [REDACTED] at a meeting where **DUTERTE** told police that he would look after them and be answerable for anything they did,[778] [REDACTED].[779] **DUTERTE** said that he could not abandon the police

[765] [REDACTED].
[766] [REDACTED] at 0018, 0023, lines 633-649, 833-847. *See also* [REDACTED], PHL-OTP-00090412-R01 at 0004, para. 15, [REDACTED] (Translation [REDACTED] at 0002, para. 12); [REDACTED] at 0022-0027, lines 742-770, 815-925.
[767] PNP, PHL-OTP-00062063 at 0003, 0008, paras. 4, 19-20.
[768] PNP, PHL-OTP-00062063 at 0002-0003, 0013, para. 4.
[769] [REDACTED] at 0006, para. 39, [REDACTED] (Translation [REDACTED] at 0001, para. 6); PNP, PHL-OTP-00062063 at 0009, para. 25; GoPHL, PHL-OTP-00017688 at 0023.
[770] [REDACTED] (Translation [REDACTED] at 0002, para. 8-10); GoPHL, PHL-OTP-00015101 (Translation PHL-OTP-00090696 at 0353-0354); PNP, PHL-OTP-00236393 at 0002, PHL-OTP-00062063 at 0009, 0011, para. 26.
[771] [REDACTED] at 0003-0006, paras. 15, 19, 33-34, 40, [REDACTED] (Translation [REDACTED] at 0002, para. 8-10); GoPHL, PHL-OTP-00015101 (Translation PHL-OTP-00090696 at 0352-0353).
[772] [REDACTED] at 0005, para. 25.
[773] [REDACTED] at 0007, paras. 47-48.
[774] [REDACTED] at 0007, paras. 43, 48, [REDACTED] (Translation [REDACTED] at 0002, para. 11); GoPHL, PHL-OTP-00015101 (Translation PHL-OTP-00090696 at 0355).
[775] [REDACTED], PRRD List, PHL-OTP-00015357, Tab Reg. (8) Eastern Visayas, Row 259, Tab BJMP, row 240; [REDACTED], PRRD List, PHL-OTP-00019404, Tab Reg. (8) Eastern Visayas, Row 205, Tab BJMP, row 240; Open source, PRRD List, PHL-OTP-00015098, Tab Reg. (8) Eastern Visayas, Row 259, Tab BJMP, row 237.
[776] PCOO Video of DUTERTE's Speech, 13 March 2017, PHL-OTP-00089707 (PCOO Transcript PHL-OTP-0003-3224; Translation PHL-OTP-00095237 at 0027-0028); GoPHL, PHL-OTP-00017688 at 0028. *See also* ABS-CBN, PHL-OTP-0003-1383; Manila Times, PHL-OTP-0003-2296.
[777] PCOO Video of DUTERTE's Speech, 15 April 2017, PHL-OTP-00089805 (PCOO Transcript PHL-OTP-0003-3199; Translation PHL-OTP-00015490 at 0008).
[778] [REDACTED] at 0025-0026, lines 869-912, [REDACTED] at 0005-0006, [REDACTED] at 0049-0050, lines 1697-1729; [REDACTED] at 0005, lines 127-128.
[779] PCOO Video of DUTERTE's Speech, [REDACTED] (PCOO Transcript [REDACTED]; Translation [REDACTED] at 0028); Inquirer, PHL-OTP-0005-1367 at 1368, 1370.

[REDACTED].[780] According to [REDACTED] and was motivated to prove himself because [REDACTED].[781] [REDACTED] not to obey the orders of the President [REDACTED].[782]

Incident 14: On or about the early morning of 30 July 2017, PNP personnel killed Ozamiz City Mayor Reynaldo PAROJINOG Snr (alias 'Aldong') and multiple other individuals [REDACTED] in the Mayor's family residence [REDACTED]. The murders were committed after DUTERTE had claimed, including during a 7 August 2016 televised press conference, that Mayor PAROJINOG was involved in the illegal drug trade. Mayor PAROJINOG was listed as a 'High-Value Target' and drug "protector" on the PRRD List.[783]

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[780] PCOO Video of DUTERTE's Speech, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0006). *See also* ABS-CBN, PHL-OTP-0003-1383.

[781] [REDACTED] at 0005-0006, [REDACTED] at 0019-0020, lines 610-648.

[782] Inquirer, Video of [REDACTED] Interview, [REDACTED], PHL-OTP-00015279 (Transcript PHL-OTP-00015726; Translation PHL-OTP-00015743 at 0002, lines 7-15). *See also* Inquirer, Video of DELA ROSA's Interview, 26 July 2017, PHL-OTP-00015276 (Transcript PHL-OTP-00015618; Translation PHL-OTP-00015620 at 0002).

[783] [REDACTED] at 0005-0015, lines 128-459, [REDACTED] at 0002-0013, lines 5-417, [REDACTED] at 0002-0022, lines 19-709, [REDACTED] at 0002-0024, lines 7-789; P-0025, PHL-OTP-00017675-R01 (Translation PHL-OTP-00017700-R01); GoPHL, PHL-OTP-00014895; ANC, [REDACTED], PHL-OTP-00017617 (Translation PHL-OTP-00090736); UNTV, [REDACTED], PHL-OTP-00017627 (Transcript PHL-OTP-00090764; Translation PHL-OTP-00090738); Radio Patrol Balita, [REDACTED], PHL-OTP-00017630 (Translation PHL-OTP-00090735); GoPHL, PHL-OTP-00097302; PHL-OTP-00237926 (Translation PHL-OTP-00250087); PHL-OTP-00017615 at 0005, paras. 18-19; PNP, PHL-OTP-00000212, PHL-OTP-00017606, PHL-OTP-00017607, PHL-OTP-00062634, PHL-OTP-00088695, PHL-OTP-00088705, PHL-OTP-00091942, PHL-OTP-00092085, PHL-OTP-00236318 at 0118-0119, PHL-OTP-00236370, PHL-OTP-00239596; PNP Autopsy, PHL-OTP-00003426 (Reynaldo PAROJINOG), PHL-OTP-00003514 [REDACTED], PHL-OTP-00003623 [REDACTED], PHL-OTP-00003713 [REDACTED], PHL-OTP-00003864 [REDACTED], PHL-OTP-00088708 at 0019-0020 [REDACTED], PHL-OTP-00004280 [REDACTED]; [REDACTED], PHL-OTP-00003423 [REDACTED], PHL-OTP-00003511 [REDACTED], PHL-OTP-00003625 [REDACTED], PHL-OTP-00003715 [REDACTED], PHL-OTP-00003793 [REDACTED], PHL-OTP-00017667-R01 [REDACTED]; ABS-CBN, PHL-OTP-0003-1793; PDEA, PHL-OTP-00092260 at 0190 row 7, PHL-OTP-00092261 at 0054 row 10, 0128-0129 rows 6, [REDACTED], 22, 0151 row 651, PHL-OTP-00092262 at 0032 row 1, 0068-0069 rows 5-[REDACTED], PHL-OTP-00092263 at 0171 rows 6-[REDACTED], 0173 row [REDACTED], 0178 row [REDACTED], PHL-OTP-00092264 at 0171 row 10, [REDACTED], PRRD List, PHL-OTP-00015357, Tab Reg. (10) Northern Mindanao, rows 9-[REDACTED], Tab BUCOR, row 221, PRRD List, PHL-OTP-00019404, Tab Reg. (10) Northern Mindanao, rows 11-[REDACTED], Tab BUCOR, row 180; Open source, PHL-OTP-00249912, PRRD List, PHL-OTP-00015098, Tab Reg. (10) Northern Mindanao, rows 9-[REDACTED], Tab BUCOR, row [REDACTED]; PCOO, Video of DUTERTE's Speech, 9 January 2017, PHL-OTP-00089637 (Transcript PHL-OTP-00232504; Translation PHL-OTP-00232512 at 0002), PCOO Transcript of DUTERTE's Speech, 25 October 2017, PHL-OTP-00090091, PCOO Transcript of DUTERTE's Speech, 9 August 2017, PHL-OTP-00090059, DUTERTE's Speech, 28 September 2017, PHL-OTP-00100848 (Transcript PHL-OTP-00249345; Translation PHL-OTP-00249382); Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419); [REDACTED], PHL-OTP-00095922-R01 at 0005-0020, lines 149-729, PHL-OTP-00095923-R01 at 0002-0011, lines 18-357, PHL-OTP-00095924-R01 at 0010-0015, lines 325-487, PHL-OTP-00095925-R01 at 0002-0029, lines 24-1034, PHL-OTP-00095926-R01 at 0004, lines 120-123, PHL-OTP-00095927-R01 at 0003-0034, lines 39-1199, PHL-OTP-00095928-R01 at 0002-0024, lines 10-858, PHL-OTP-00095929-R01 at 0013-0014, lines 443-468, PHL-OTP-00095930-R01 at 0002-0005, lines 7-123, PHL-OTP-00095931-R01 at 0014, lines 443-468, PHL-OTP-00240625-R01 at 0010-0023, lines 317-786; [REDACTED] at 0007, lines 223-226, [REDACTED] at 0004, lines 120-123; GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701); LA Times, PHL-OTP-00017636; GMA, PHL-OTP-00017633

170. As set out above,[784] Ozamiz Mayor PAROJINOG was one of 150 officials **DUTERTE** alleged to be involved in the illegal drug trade during a televised press conference on 7 August 2016, and was also referenced by **DUTERTE** in various other speeches.[785] Mayor PAROJINOG [REDACTED] were listed as "validated" and categorised as "Level 3" and "Level 4" High-Value Target on the Region 10 (Northern Mindanao) and "BUCOR" spreadsheets of the PRRD List.[786] After being named by **DUTERTE** in his 7 August 2016 speech, Mayor PAROJINOG complied with **DUTERTE**'s instruction to report to the PNP "within 24 hours", but the threats did not stop.[787] In December 2016, the month after Mayor ESPINOSA's murder (Incident 13), Jovie ESPENIDO was transferred to PRO-10 (Northern Mindanao)[788] and appointed Chief of Police of Ozamiz City Police Station.[789] On his arrival, ESPENIDO made clear that **DUTERTE** appointed him Chief of Police in Ozamiz City with the mission to operate against the PAROJINOGs.[790]

171. ESPENIDO then met with Mayor PAROJINOG, [REDACTED] on multiple occasions, and threatened [REDACTED].[791] ESPENIDO [REDACTED][792] [REDACTED].[793] The

(Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0002, lines 11-13); Inquirer, PHL-OTP-00249609; Photographs, PHL-OTP-00095354, PHL-OTP-00095361, PHL-OTP-00095364. For the timeline of Incident 14, *see* Annex J.2: Timeline of events – Incident 14.

[784] *See above* paras. 91, 147-151.

[785] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419 at 0003). *See also* PCOO, Video of DUTERTE's Speech, 9 January 2017, PHL-OTP-00089637 (Transcript PHL-OTP-00232504; Translation PHL-OTP-00232512 at 0002); [REDACTED], PHL-OTP-00095922-R01 at 0019, lines 690-697, PHL-OTP-00095924-R01 at 0010-0011, lines 325-335.

[786] [REDACTED], PRRD List, PHL-OTP-00015357, Tab Reg. (10) Northern Mindanao, rows 9[REDACTED], Tab BUCOR, row 221; [REDACTED], PRRD List, PHL-OTP-00019404, Tab Reg. (10) Northern Mindanao, rows 11[REDACTED], Tab BUCOR, row 180; Open source, PRRD List, PHL-OTP-00015098, Tab Reg. (10) Northern Mindanao, rows 9[REDACTED], Tab BUCOR, row 221; PDEA, PHL-OTP-00092260 at 0190, row 7, PHL-OTP-00092261 at 0054, row 10, 0128-0129 rows 6, [REDACTED], PHL-OTP-00092262 at 0032, row 1, 0068-0069, rows 5-6, [REDACTED], PHL-OTP-00092263 at 0171, rows 6[REDACTED], 0178, row 18[REDACTED], PHL-OTP-00092264 at 0171, row 10.

[787] Inquirer, Video of DUTERTE's Speech, 7 August 2016, PHL-OTP-00001774 (Transcript PHL-OTP-00016132; Translation PHL-OTP-00016419 at 0004); [REDACTED], PHL-OTP-00095922-R01 at 0005-0006, lines 149-191, PHL-OTP-00095924-R01 at 0014-0015, lines 465-487, PHL-OTP-00095931-R01 at 00014, lines 443-454.

[788] PNP, PHL-OTP-00000212 at 0003.

[789] PNP, PHL-OTP-00000212 at 0003.

[790] [REDACTED], PHL-OTP-00095922-R01 at 0006, 0011-0012, 0020, lines 167-191, 395-422, 719-729, PHL-OTP-00095923-R01 at 0004, 0010-0011, lines 78-81, 327-357, PHL-OTP-00095925-R01 at 0013-0014, lines 419-453, PHL-OTP-00095928-R01 at 0024, lines 853-858. *See also* [REDACTED], PHL-OTP-00092666-R01 at 0004, lines 120-123.

[791] [REDACTED], PHL-OTP-00095922-R01 at 0006, lines 165-174, PHL-OTP-00095923-R01 at 0002, 0004, lines 18-22, 74-75, 78-101, PHL-OTP-00095925-R01 at 0004, lines 90-98.

[792] [REDACTED].

[793] [REDACTED], PHL-OTP-00095922-R01 at 0006, 0009, 0012-0013, lines 200-202, 298-299, 432-453; PHL-OTP-00095925-R01 at 0008, lines 219-240.

PAROJINOGs surrendered approximately 70 firearms in March 2017,[794] but ESPENIDO's threats against the family continued into July 2017.[795]

172. On 30 July 2017, in an operation led by ESPENIDO, from around [REDACTED], police teams conducted [REDACTED].[796] As the police [REDACTED], they shot and killed [REDACTED].[797] The police [REDACTED] and [REDACTED] and [REDACTED].[798] The police [REDACTED].[799] [REDACTED].[800] [REDACTED].[801] [REDACTED].[802] [REDACTED].[803] While the PNP falsely claimed that these victims were killed in legitimate self-defence [REDACTED],[804] [REDACTED].[805] A similar method was used regarding another

[794] [REDACTED], PHL-OTP-00095923-R01 at 0007-0009, lines 220-223, 233-294, PHL-OTP-00095925-R01 at 0013, lines 403-418.
[795] [REDACTED], PHL-OTP-00095925-R01 at 0028-0029, lines 980-1034.
[796] PNP, PHL-OTP-00088695 at 0001-0004, PHL-OTP-00017606 at 0002, para. 4, PHL-OTP-00088705 at 0001-0008, PHL-OTP-00236318 at 0118-0119 (records 15 suspects); ANC, [REDACTED], PHL-OTP-00017617 (Translation PHL-OTP-00090736 at 0002, lines 2-6); [REDACTED], PHL-OTP-00095927-R01 at 0003, lines 39-47, PHL-OTP-00095928-R01 at 0002-0003, 0005, lines 22-28, 70-75, 119-122, PHL-OTP-00095930-R01 at 0002-0004, lines 7-101, PHL-OTP-00240625-R01 at 0010, 0023, lines 317-320, 781-786; [REDACTED] at 0007, lines 223-226.
[797] PNP, PHL-OTP-00088695 at 0001-0004, PHL-OTP-00088705 at 0001-0002, 0007, PHL-OTP-00017606 at 0001-0005, PHL-OTP-00088696 at 0006; PNP Autopsy, PHL-OTP-00004280 [REDACTED] at 0001-0002, PHL-OTP-00088708 [REDACTED] at 0019-0020; ABS-CBN, PHL-OTP-0003-1793 at 1794-1800. *See also* [REDACTED] at 0002, lines 10-13, 21-24, [REDACTED] at 0007-0008, lines 197-217, 0011-0014, lines 335-344, 395-424; GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0002, lines 11-13); [REDACTED], PHL-OTP-00095928-R01 at 0003-0004, lines 70-87, PHL-OTP-00095929-R01 at 0013-0014, lines 428-444, PHL-OTP-00240625-R01 at 0011-0012, lines 342-394.
[798] [REDACTED] at 0003-0005, lines 39-42, 75-119, [REDACTED] at 0017-0018, lines 534-542, 578-587, [REDACTED] at 0002-0003, lines 17-54; [REDACTED] (Translation [REDACTED] at 0002-0003, 0007, paras. 10-16, 20-31, 85-86. [REDACTED]: *see e.g.* [REDACTED] at 0020-0021, lines 647-669.
[799] [REDACTED] at 0005-0007, lines 121-207, [REDACTED] at 0003-0005, lines 55-124; [REDACTED] at 0003-0004, paras. 32-42; [REDACTED], PHL-OTP-00240625-R01 at 0014, lines 453-462; GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0002-0003, lines 19-42); [REDACTED], PHL-OTP-00002236-R02 at 0053-0054, paras. 150-152; [REDACTED], PHL-OTP-00003625 [REDACTED] at 0001-0003, PHL-OTP-00017667-R01 [REDACTED] at 0001-0003. *See also* PNP Autopsy PHL-OTP-00003623 [REDACTED] at 0001-0002, PHL-OTP-00003864 [REDACTED] at 0001-0002.
[800] [REDACTED] at 0007-0008, lines 211-233; [REDACTED] (Translation [REDACTED] at 0004, paras. 42-44); GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0003, line 42).
[801] [REDACTED] at 0008-0009, lines 237-257, [REDACTED] at 0005-0008, lines 125-226; GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0003, lines 42-53); [REDACTED] (Translation [REDACTED] at 0004, paras. 45-52), [REDACTED] at 0053-0054, paras. 150-151; [REDACTED], PHL-OTP-00003511 [REDACTED] at 0001, PHL-OTP-00003715 [REDACTED] at 0001, PHL-OTP-00003423 [REDACTED] at 0001. *See also* PNP Autopsy PHL-OTP-00003514 [REDACTED] at 0001-0002, PHL-OTP-00003713 [REDACTED] at 0001-0002, PHL-OTP-00003426 [REDACTED] at 0001-0002.
[802] PNP, PHL-OTP-00017606 at 0002-0003, para. 4, PHL-OTP-00088705 at 0001, 0005, PHL-OTP-00088708 at 0031; [REDACTED], PHL-OTP-00003793 [REDACTED] at 0001; [REDACTED], PHL-OTP-00240625-R01 at 0014, lines 446-453 [REDACTED].
[803] [REDACTED] at 0008-0009, lines 232-259; [REDACTED] (Translation [REDACTED] at 0005, paras. 57-58); GMA, PHL-OTP-00017633 (Transcript PHL-OTP-00091707; Translation PHL-OTP-00091701 at 0003-0004, lines 57-66).
[804] PNP, PHL-OTP-00017607 at 0001, para. 2, PHL-OTP-00236370 at 0011, PHL-OTP-00092085 at 0007-0008, 0034-0035.
[805] [REDACTED] at 0002, 0008-0009, lines 17-35,232-255; [REDACTED] (Translation [REDACTED] at 0007, paras. 85-86). *See also* PNP, PHL-OTP-00017606 at 0002-0003, para. 4; [REDACTED], PHL-OTP-00095923-R01 at 0008-0009, lines 233-304, PHL-OTP-00095925-R01 at 0002-0004, 0013, lines 24-83, 403-407, PHL-OTP-00095928-R01 at 0002, lines 10-21, PHL-OTP-00095931-R01 at 0014, lines 455-468.

victim, alias [REDACTED], who was killed by police officers in an adjacent property and a gun was planted on his body.[806]

173. After the raid against the PAROJINOG family, **DUTERTE** and DELA ROSA arrived to congratulate the team and awarded them a plaque of recognition.[807] In a number of speeches after the incident, **DUTERTE** made clear he ordered the operation, including on 25 October 2017, when he stated: "I ordered that operation against Parojinog, the Mayor of Ozamis City".[808] As set out above, on 28 August 2017, during "National Heroes Day" **DUTERTE** publicly acknowledged that he sent ESPENIDO to kill mayors in Leyte (ESPINOSA, Incident 13) and Ozamiz (PAROJINOG, this Incident 14)[809] and awarded ESPENIDO a medal for his contributions to the "success of an activity pursuant to a campaign or advocacy of the President".[810]

174. ESPENIDO later testified in a public inquiry that DELA ROSA told him to dismantle the PAROJINOGs' alleged drug operations "by any means necessary", which he understood as a direct order "to eliminate them".[811] [REDACTED].[812] Two other senior police officers involved, [REDACTED], each stated that the purpose of the operation was to implement **DUTERTE**'s anti-illegal drug policy.[813]

175. Following the operation against the PAROJINOGs, the PNP IAS recommended, and ultimately found, that there was no substantial evidence to hold the respondents, including ESPENIDO, liable for "serious irregularity in the performance of duty".[814] As set out above,

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[806] [REDACTED], PHL-OTP-00095927-R01 at 0014-0018, 0032-0034, lines 446-600, 1121-1148, 1179-1199, PHL-OTP-00095929-R01 at 0004-0005, lines 81-123; Photographs, PHL-OTP-00095354, PHL-OTP-00095361, PHL-OTP-00095364.
[807] GoPHL, PHL-OTP-00014895 at 0005-0006, paras. 19-28; Open Source, PHL-OTP-00249912.
[808] PCOO Transcript of DUTERTE's Speech, 25 October 2017, PHL-OTP-00090091 at 0008. *See also* PCOO Transcript of DUTERTE's Speech, 9 August 2017, PHL-OTP-00090059 at 0001; Open Source, DUTERTE's Speech, 28 September 2017, PHL-OTP-00100848 (Transcript PHL-OTP-00249345; Translation PHL-OTP-00249382 at 0003).
[809] *See above* para. 149.
[810] PCOO, video of DUTERTE's speech, 28 August 2017, PHL-OTP-00100824 (Transcript PHL-OTP-00249347 at 0002; Translation PHL-OTP-00249381 at 0002); PNP, PHL-OTP-00091942 at 0022; GoPHL, PHL-OTP-00097302 at 0001; Inquirer, PHL-OTP-00249609.
[811] GoPHL, PHL-OTP-00014895 at 0005-0006, paras. 18, 25, PHL-OTP-00237926 (Translation PHL-OTP-00250087 at 0038-0039, 0042-0043), PHL-OTP-00017615 at 0005 paras. 18-19.
[812] ANC, [REDACTED], PHL-OTP-00017617 (Translation PHL-OTP-00090736 at 0005, lines 100-109).
[813] UNTV, [REDACTED], PHL-OTP-00017627 (Transcript PHL-OTP-00090764; Translation PHL-OTP-00090738 at 0020-0021, lines 667-680); Radio Patrol Balita, [REDACTED], PHL-OTP-00017630 (Translation PHL-OTP-00090735 at 0005, lines 105-111).
[814] PNP, PHL-OTP-00239596 at 0035, PHL-OTP-00239482 at 0034.

ESPENIDO was also involved in various other anti-illegal drug operations in which suspects died.[815]

Incident 57: [DELETED],[816] [DELETED].[817]

176. [DELETED][818] [DELETED].[819]

177. DELETED],[820] [DELETED][821] [DELETED][822] [DELETED].[823]

178. [DELETED].[824] [DELETED].[825] [DELETED].[826] [DELETED][827]

179. [DELETED].[828] [DELETED].[829]

180. [DELETED][830] [DELETED].[831] [DELETED].[832] [DELETED].[833]

C. Count 3: Murders in barangay clearance operations during the Presidential period

181. The murders and attempted murders charged in Count 3, as set out in Incidents 15 to 55 below, were perpetrated by members of the National Network, often SAID units/Station Drug Enforcement Units ("SDEU"),[834] in local PNP stations, in locations across the Philippines during **DUTERTE**'s Presidency between around July 2016 and September 2018.

182. The victims were alleged lower-level criminals who were targeted in so-called *barangay* clearance operations.[835] As set out above, Project *Tokhang* comprised the lower barrel of Project

[815] PNP, PHL-OTP-00062634 at 0008-0017. *See also above* Incident 13.
[816] [DELETED].
[817] [DELETED].
[818] [DELETED].
[819] [DELETED].
[820] [DELETED].
[821] [DELETED].
[822] [DELETED].
[823] [DELETED].
[824] [DELETED].
[825] [DELETED].
[826] [DELETED].
[827] [DELETED].
[828] [DELETED].
[829] [DELETED].
[830] [DELETED].
[831] [DELETED].
[832] [DELETED].
[833] [DELETED].
[834] As noted above, on 2 June 2017, PNP anti-illegal drug units were renamed as drug enforcement units and accordingly, at the station level, SAID units were renamed Station Drug Enforcement Units ("SDEU"). Police assigned to these units sometimes used the former designation or both names interchangeably in their evidence, *see above* para. 17.
[835] *See above* para. 13.

Double Barrel and was described in CMC No. 16-2016 as "a practical and realistic means of accelerating the drive against illegal drugs in drug affected *barangays*."[836]

183. With respect to the regions to be targeted, CMC No. 16-2016 stated that the NCR, followed by Calabarzon ("Region 4-A") were the most "drug affected" *barangays* in the Philippines.[837] Co-Perpetrator DELA ROSA echoed this sentiment several months later during a presentation he gave to the Senate of the Philippines, in which he also identified Central Luzon ("Region 3"), as well as NCR and Region 4-A, as having significant issues with "drug affection".[838] NCR, Region 3 and Region 4-A form the locations of the Count 3 incidents. Based on data from [REDACTED], at least [REDACTED] people died in police anti-illegal drug operations in these regions during the charged period, including the victims in Incidents 15 to 55 below.[839]

184. Co-Perpetrators, or those loyal to them - often with connections from the PMA and/or colleagues from the Davao Region - were appointed to, or maintained in, key positions in these three regions.[840] Aaron AQUINO, who previously held various leadership roles in the PNP in Davao City and PRO-11,[841] was maintained in his position as PNP Regional Director in Region 3.[842] Co-Perpetrator ALBAYALDE,[843] a PMA classmate of DELA ROSA,[844] became PNP Regional Director in NCR on 1 July 2016.[845] Alden DELVO, who held leadership roles in the PNP in Davao City,[846] was moved from his role as DELA ROSA's Senior Executive Assistant to PNP Provincial Director in Region 4 on 2 March 2017.[847] At the police station level, as set

[836] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0261.
[837] PNP, CMC No. 16 – 2016, 1 July 2016, PHL-OTP-0005-0259 at 0261, CMC No.01-2017, 8 January 2017, PHL-OTP-00000896 at 0003.
[838] GoPHL, PHL-OTP-00236299 (Translation PHL-OTP-00249907 at 0013).
[839] This number is based on the [REDACTED] dataset, in relation to police drug operations conducted from July 2016 to November 2017 and therefore does not reflect all deaths in police operations in these regions during the entirety of the charged period, *see* [REDACTED], PHL-OTP-00250125 at 0005.
[840] [REDACTED] at 0025, lines 832-841, PHL-OTP-00094996-R01 at 0025, lines 858-862.
[841] AQUINO's roles included Station Commander in Davao City and Deputy Regional Director for Operations in PRO-11, *see* PHL-OTP-00000201-R01 at 0003.
[842] AQUINO was first appointed Regional Director (OIC) of PRO-3 on 30 May 2016, then appointed Regional Director (Acting) on 17 June 2016, then appointed as Regional Director on 11 October 2016, *see* PHL-OTP-00000201-R01 at 0003.
[843] [REDACTED]. *See above* paras 19(iv), 31.
[844] PNP, PHL-OTP-00000198 at 0002; GMA, PHL-OTP-00089063 at 0001; Rappler, PHL-OTP-00089065 at 0001.
[845] PNP, PHL-OTP-00092110 at 0011, PHL-OTP-00000198 at 0003; Rappler, PHL-OTP-00089061 at 0001-0002.
[846] DELVO's roles included Station Commander and Deputy City Director for Operations in Davao City, *see* PHL-OTP-00000220-R01 at 0004.
[847] PNP, PHL-OTP-00000220-R01 at 0003-0004.

out above, [REDACTED] was transferred to [REDACTED], which led to an immediate, dramatic rise in police killings, including Incidents 21 and 55, as set out below.[848]

185. The targets of *barangay* clearance operations were often listed on *barangay* and/or police station watchlists. To facilitate the implementation of the lower barrel of the campaign, the DILG required *barangays* to prepare a "List of Drug Personalities" in their jurisdiction and submit the initial list to the local PNP "and/or" PDEA before 29 July 2016, and then again every month after.[849] Former PNP officer and [REDACTED], made clear in reference to such lists used in his police station that, when **DUTERTE** took office, his commander instructed him that "all operations would be about killings" and "if we got news about somebody from the top 10, we were going to shoot them".[850]

186. The DILG also launched the "MASA-MASID" initiative, calling on local residents to engage in "information gathering and reporting" in "the fight against criminality, corruption, and illegal drugs", including by reporting on their neighbours through the "use of a hotline".[851] These lists were then used by law enforcement to identify targets for operations.[852] [REDACTED],[853] explained that **DUTERTE** was the "main proponent of MASA MASID".[854] Co-Perpetrators ALBAYALDE and DELA ROSA ordered that *barangay* watchlists include two percent of the population of the *barangay*, which was the "President's number".[855] [REDACTED] elaborated that this two percent figure was derived from **DUTERTE** publicly stating that there were three million drug users nationwide, which was approximately two percent of the population of the Philippines.[856] [REDACTED] said that **DUTERTE**'s public statement was "translated into the watchlist".[857] As noted above,[858] **DUTERTE** repeatedly

[848] *See also above* para. 24.
[849] DILG, Memorandum Circular No. 2016-03, 13 July 2016, PHL-OTP-0003-3335 at 3337, Section 6.1.1. This was confirmed by subsequent directives of other State actors. *See e.g.* DDB, Board Regulation No. 3 Series of 2017: Strengthening the Implementation of the Barangay Drug Clearing Program, 14 February 2017, PHL-OTP-0005-0420 at 0424, Section 6(4); PDEA, PHL-OTP-0004-3489 at 3490. *See also* PDEA, PHL-OTP-0003-2659.
[850] [REDACTED] at 0044-0045, lines 1445-1487.
[851] As indicated in the DILG, Memorandum Circular No. 2016-116, 2 September 2016, PHL-OTP-00000090 at 0001-0003, MASA-MASID is the abbreviation of "Mamamayang Ayaw sa Anomalya, Mamamayang Ayaw sa Iligal na Droga".
[852] [REDACTED] at 0008-0009, lines 258-300; Reuters, PHL-OTP-0003-0283 at 0283-0285.
[853] [REDACTED] at 0016-0017, lines 576-595.
[854] [REDACTED] at 0016, lines 554-560.
[855] [REDACTED] at 0018, 0020, lines 635-640, 684-714.
[856] [REDACTED] at 0019-0020, lines 656-706.
[857] [REDACTED] at 0020, lines 679-683.
[858] *See above* para. 48, fn. 239.

referenced this figure, including during a speech on 30 September 2016: "Hitler massacred 3 million Jews. Now, there is 3 million […] drug addict[s]. I'd be happy to slaughter them."[859]

187. As set out below, the Count 3 crimes demonstrate a broadly consistent pattern: suspected drug users or criminals, usually on a list, were murdered, evidence falsified to suggest the victim was killed in self-defence and rewards were often paid to those who participated in the murders. [REDACTED]. Typically, the perpetrators operated with impunity, unless the circumstances simply did not allow it (e.g. Incident 30). Internal investigations were often conducted by NAPOLCOM but routinely found there had been no wrongdoing on behalf of the PNP.[860] To further demonstrate this pattern, the 41 charged incidents in Count 3, which were listed chronologically in the DCC and the PCB,[861] are organised in this TB by the regions of the Philippines in which they took place: 22 in NCR; 18 in Region 3; and one in Region 4-A.

188. As set out below, the physical perpetrators of the murders in Count 3 meant to cause the victims' deaths or were aware that their deaths would occur in the ordinary course of events.

i. National Capital Region (NCR)

189. NCR, also known as Metro Manila, is the capital region of the Philippines.[862] It is the country's most densely populated region, covers 17 cities, and during the charged period was home to approximately 13 million people.[863] NCR is the area of responsibility of the NCRPO.[864] During the Presidential period, the Directors of NCRPO included Co-Perpetrators ALBAYALDE[865] (1 July 2016-April 2018)[866] and CASCOLAN (April-June 2018).[867] Based on data from [REDACTED], at least [REDACTED] people died in police anti-illegal drug operations in NCR during the charged period, including the victims in the 22 charged

[859] PCOO Video of DUTERTE's Speech, 30 September 2016, PHL-OTP-00089361 (Transcript PHL-OTP-00096858; Translation PHL-OTP-00096931at 0003, lines 57-58).
[860] Similarly, a Congressional Panel of the House of Representatives that investigated the War on Drugs found that 99.17% of cases involving predominantly civilian deaths during police operations resulted in the exoneration PNP personnel involved and that of 32,803 PNP officers charged for conduct related to police operations during the War on Drugs, only 30 were ultimately dismissed from service. *See* PHL-OTP-00092152 at 0029, para. 76.
[861] *See also* above fn. 21.
[862] Philippine Center for Investigative Journalism ("PCIJ"), PHL-OTP-0003-1955 at 0005.
[863] PCIJ, PHL-OTP-0003-1955 at 0004-0005.
[864] *See* Annex B.1: Philippine National Police Area of Responsibility – Police Regional Offices (PROs), Police Provincial Offices (PPOs) and City Police Offices (CPOs) ("Annex B.1").
[865] [REDACTED].
[866] *See* Annex H.1. *See also* Annex I.3.
[867] *See* Annex H.2. *See also* Annex I.3.

incidents.[868] The 22 charged incidents in NCR took place in the following locations: the City of Manila (15 incidents), Quezon City (2 incidents), Caloocan City (1 incident) and [REDACTED].

a) City of Manila, NCR

190. The City of Manila is within the area of responsibility of the MPD.[869] Co-Perpetrator DANAO was brought in to serve as the MPD Director from November 2018-October 2019.[870] There are four districts within the City of Manila in which the charged incidents occurred: [REDACTED].[871]

[REDACTED], City of Manila, NCR (Incidents 15, 16, 19, 20, 23, 24, 26, 33, 35, 36, 48, 49)

191. The majority of murders charged in [REDACTED] were carried out by members of the PNP, including [REDACTED], who were based at MPD [REDACTED].[872] These incidents are primarily evidenced by [REDACTED]. One additional murder (Incident 33) was committed by PNP officers [REDACTED] MPD [REDACTED] and is primarily evidenced by [REDACTED].

192. The intention to kill alleged drug users and criminals in [REDACTED] was clear. For example, **DUTERTE** gave a speech [REDACTED][873] [REDACTED].[874]

193. This pressure to kill was also felt by PNP officers. [REDACTED] noted that a quota was set each week and "killings were expected".[875] [REDACTED] further explained that there was competition within the PNP to kill alleged drug users.[876] He specifically recalled being instructed by his commander on or about [REDACTED] 2016, [REDACTED] after **DUTERTE**'s speech in [REDACTED], to begin *tokhang* operations because other police

[868] This number is based on the [REDACTED] dataset, in relation to police drug operations conducted from July 2016 to November 2017, and therefore does not reflect all deaths in police operations in NCR during the entirety of the charged period, *see* [REDACTED], PHL-OTP-00250125 at 0005.
[869] *See* Annex B.2: Philippine National Police Areas of Responsibility of National Capital Region Provincial Office (NCRPO).
[870] *See* Annex H.2.
[871] For the jurisdiction of police stations in these districts, *see* Annex I.2: Area of Responsibility of Police Stations [REDACTED] within the Manila Police District (MPD) ("Annex I.2").
[872] *See* Annex I.1; Annex I.2.
[873] PCOO Video of DUTERTE's Speech, [REDACTED] (PCOO Transcript [REDACTED]; Translation [REDACTED] at 0003).
[874] PNP, PHL-OTP-0006-7129 at 7129.
[875] [REDACTED] at 0023, lines 735-738.
[876] [REDACTED] at 0007, lines 175-197; [REDACTED] at 0007, lines 199-207.

stations were already doing them.[877] A short time later, an operation was approved to kill [REDACTED], an alleged drug pusher, and the victim of Incident 15, as described below.[878]

Incident 15: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Manila. The victim was listed as a drug pusher on [REDACTED] "Illegal Drug Watchlist".[879]

194. [REDACTED] was listed as a drug pusher on [REDACTED] drug watchlist.[880] On or about [REDACTED] 2016, [REDACTED] personnel, [REDACTED], were instructed by their commander [REDACTED] to begin "*Tokhang*" operations because other police stations were already doing them.[881] An operation was approved against [REDACTED], a suspected drug pusher.[882] Later that evening,[883] the team, [REDACTED], left the station for [REDACTED],[884] with some PNP members saying that [REDACTED] was "going to get killed".[885] One of the team, [REDACTED], brought a gun and drugs to plant.[886] [REDACTED].[887] [REDACTED].[888] [REDACTED] was handcuffed and then [REDACTED] shot him in the chest multiple times, killing him.[889] The team then planted drugs on [REDACTED] body, placed a gun in his hand and fired it.[890]

[877] [REDACTED] at 0004, lines 101-104, [REDACTED] at 0004-0006, lines 81-147.
[878] [REDACTED] at 0004-0005, 0009-0010, lines 97-116, lines 263-315.
[879] [REDACTED] at 0004-0005, lines 101-125, [REDACTED] at 0004-0009, lines 81-243, [REDACTED] at 0009, lines 271-282, [REDACTED] at 0007-0008, lines 202-250, [REDACTED] at 0002-0034, lines 17-1101, [REDACTED] at 0002-0003, lines 20-55, [REDACTED] at 0002-0006, lines 18-39, 102-141, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00236349, PHL-OTP-00240092, PHL-OTP-00240193, PHL-OTP-00016173, PHL-OTP-00016174, PHL-OTP-00016175, PHL-OTP-00016176, PHL-OTP-00016177, PHL-OTP-00016178, PHL-OTP-00016179, PHL-OTP-00016180, PHL-OTP-00016181, PHL-OTP-00016182, PHL-OTP-00016183, PHL-OTP-00016184, PHL-OTP-00016185, PHL-OTP-00016186, PHL-OTP-00016187, PHL-OTP-00016188, PHL-OTP-00016189, PHL-OTP-00016190, PHL-OTP-00016191, PHL-OTP-00016192, PHL-OTP-00000169 at 0100; [REDACTED]; [REDACTED]; Inquirer, PHL-OTP-0001-2369 at 0116, PHL-OTP-00017510, PHL-OTP-00092572 at 0002.
[880] PNP, PHL-OTP-00016188 at 0001, para. 2, PHL-OTP-00016191 at 0001.
[881] [REDACTED] at 0004, lines 101-104, [REDACTED] at 0004-0006, lines 81-147.
[882] [REDACTED] at 0004-0005, 0009-0010, lines 97-116, 263-315.
[883] [REDACTED] at 0014, lines 437-446.
[884] [REDACTED] at 0013, 0017, lines 406-421, 532-556; PNP, PHL-OTP-00016188 at 0001, para. 2.
[885] [REDACTED] at 0013, 0020-0021, lines 400-402, 652-682.
[886] [REDACTED] at 0016, lines 509-523.
[887] [REDACTED] at 0018-0020, lines 566-576, 605-644, [REDACTED] (Translation [REDACTED] at 0001).
[888] [REDACTED] at 0018, lines 581-588.
[889] [REDACTED] at 0019-0024, lines 593-636, 652-787, [REDACTED] at 0006, lines 154-159, [REDACTED] (Translation [REDACTED] at 0002); PNP, PHL-OTP-00236349 at 0001-0002.
[890] [REDACTED] at 0025-0026, 0033, lines 804-812, 853-861, 1069-1078.

195. [REDACTED].[891] [REDACTED].[892] [REDACTED].[893] Media reports corroborate that [REDACTED] was shot dead by police from [REDACTED] on or about [REDACTED] 2016.[894] NAPOLCOM dismissed a case brought against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[895]

Incident 16: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pushers/users [REDACTED] and [REDACTED] in or around [REDACTED], Manila.[896]

196. [REDACTED],[897] and [REDACTED] were listed as alleged drug pushers [REDACTED].[898] The PRRD List also noted a connection between [REDACTED] and [REDACTED] described as a drug pusher.[899] On or about [REDACTED] 2016,[900] [REDACTED] team were patrolling the [REDACTED],[901] [REDACTED][902] [REDACTED][903] At around 23h00, the team found [REDACTED] and [REDACTED].[904] Although [REDACTED], both [REDACTED] and [REDACTED] were handcuffed[905] and taken to [REDACTED].[906] [REDACTED] then shot and killed [REDACTED] and another policeman, [REDACTED], shot

[891] [REDACTED] at 0027, lines 889-895.
[892] [REDACTED] at 0029-0031, lines 936-964, 972-995, 1003, [REDACTED] at 0003, lines 38-55, [REDACTED]; PNP, PHL-OTP-00016191 at 0001-0002.
[893] [REDACTED] at 0032-0034, lines 1054-1064, 1089-1101; PNP, PHL-OTP-00016185.
[894] Inquirer, PHL-OTP-00017510 and PHL-OTP-00092572 at 0002.
[895] PNP, PHL-OTP-00240092, PHL-OTP-00240193.
[896] [REDACTED] at 0002-0020, lines 33-632, [REDACTED] at 0002-0003, lines 18-56, [REDACTED] (Translation [REDACTED]); [REDACTED] at 0014-0018, paras 63-64, 68-80, [REDACTED]; PNP, PHL-OTP-00239337-R01, PHL-OTP-00239502, PHL-OTP-00239613 (Translation PHL-OTP-00249135), PHL-OTP-00236340-R01, PHL-OTP-00016201, PHL-OTP-00016202, PHL-OTP-00016203, PHL-OTP-00016204, PHL-OTP-00016205, PHL-OTP-00016206, PHL-OTP-00016207, PHL-OTP-00016208, PHL-OTP-00016209, PHL-OTP-00016210, PHL-OTP-00076178 at 0003, entries [REDACTED], [REDACTED]; PHL-OTP-00000145 at 0139, entries [REDACTED], [REDACTED]; Rappler, PHL-OTP-00017695 at 0001-0004; PHL-OTP-0001-0137 at 0002; Photographs, PHL-OTP-00088958, PHL-OTP-00088956; [REDACTED], PRRD list, PHL-OTP-00015357, [REDACTED], row [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED], row [REDACTED]; PDEA, PRRD List, PHL-OTP-00092260 at 0108 row [REDACTED], PHL-OTP-00092261 at 0210, row [REDACTED], PHL-OTP-00092262 at 0088, row [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED], row [REDACTED]; Inquirer, PHL-OTP-0001-2369; [REDACTED]; [REDACTED].
[897] [REDACTED] at 0006, lines 140-155; PNP, PHL-OTP-00239337-R01, PHL-OTP-00016201 at 0001, para. 2(a).
[898] PNP, PHL-OTP-00016201 at 0001, para. 3.
[899] A [REDACTED] is noted in the [REDACTED] of PRRD List as connected to [REDACTED], *see* [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED], rows [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00019404, [REDACTED], row [REDACTED]; Open source, PRRD List, PHL-OTP-00015098, [REDACTED], row [REDACTED]; PDEA, PRRD List, PHL-OTP-00092260 at 0108 row [REDACTED], PHL-OTP-00092261 at 0210, row [REDACTED], PHL-OTP-00092262 at 0088, row [REDACTED].
[900] PNP, PHL-OTP-00236340-R01 at 0002-0003.
[901] [REDACTED] at 0002-0003, lines 33-43.
[902] [REDACTED] at 0008, lines 208-212.
[903] [REDACTED] at 0007-0008, lines 174-182, 217-227.
[904] [REDACTED] at 0013, lines 394-395, [REDACTED] at 0002, line 34.
[905] [REDACTED] at 0003, 0016, lines 63-68, 514.
[906] [REDACTED] at 0003-0004, 0013, lines 63-79, 387-413, [REDACTED] at 0002-0003, lines 30-39.

and killed [REDACTED].[907] Guns and drugs were planted on [REDACTED] and [REDACTED].[908] [REDACTED].[909] [REDACTED] a gun in [REDACTED] hand, which [REDACTED] remarks was "right on top of his hand in a way that looked staged".[910] [REDACTED] there were also "cuff marks on [REDACTED] wrists", [REDACTED].[911]

197. NAPOLCOM dismissed a case against the police officers involved in the incident for "lack of substantial evidence".[912] The decision notes that while the officers "may have caused the unfortunate death of the suspects" they had done so in self-defence when [REDACTED] attempted to fire at them during a "buy-bust" operation though his "firearm jammed giving the police operatives the opportunity to retaliate". [913] However, [REDACTED].[914] [REDACTED],[915] and that [REDACTED].[916] The police files[917] and a media report[918] corroborate that [REDACTED] and [REDACTED] were shot and killed by the PNP on or about [REDACTED] 2016.[919] [REDACTED].[920]

Incident 19: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] around [REDACTED], Manila. [REDACTED] was listed as a drug user in the PRRD List and as a drug pusher on [REDACTED] "Illegal Drug Watchlist".[921]

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[907] [REDACTED] at 0004, 0013-0014, lines 79, 86-101, 398-447.
[908] [REDACTED] at 0017-0018, lines 548-561, [REDACTED] at 0002, para. 6.
[909] [REDACTED] at 0015, para. 69.
[910] [REDACTED] at 0014-0016, para. 64, 68, 72-73, [REDACTED] at 0001-0010.
[911] [REDACTED] at 0016, para. 74, [REDACTED] at 0001-0010.
[912] PNP, PHL-OTP-00239502 at 0002. *See also* PNP, PHL-OTP-00239613 (Translation PHL-OTP-00249135).
[913] PNP, PHL-OTP-00239502 at 0001-0002.
[914] [REDACTED] at 0002-0003, lines 18-39; PNP, PHL-OTP-00016209.
[915] [REDACTED] at 0020, lines 622-632; PNP, PHL-OTP-00016209.
[916] [REDACTED] at 0003-0004, lines 63-82.
[917] PNP, PHL-OTP-00239502 at 0001-0002, PHL-OTP-00239613 (Translation PHL-OTP-00249135 at 0001-0003), PHL-OTP-00236340-R01 at 0002, PHL-OTP-00016201, PHL-OTP-00016202, PHL-OTP-00016203, PHL-OTP-00016204, PHL-OTP-00016205, PHL-OTP-00016206, PHL-OTP-00016207, PHL-OTP-00016208, PHL-OTP-00016209, PHL-OTP-00016210.
[918] Rappler, PHL-OTP-00017695.
[919] PNP, PHL-OTP-00239502, PHL-OTP-00239613 (Translation PHL-OTP-00249135), PHL-OTP-00236340-R01, PHL-OTP-00016201, PHL-OTP-00016202, PHL-OTP-00016203, PHL-OTP-00016204, PHL-OTP-00016205, PHL-OTP-00016206, PHL-OTP-00016207, PHL-OTP-00016208, PHL-OTP-00016209, PHL-OTP-00016210; Rappler, PHL-OTP-00017695.
[920] [REDACTED] at 0019, lines 588-590.
[921] [REDACTED] at 0017-0064, lines 532-2123, [REDACTED] at 0037-0060, lines 1203-2006, [REDACTED] (Translation [REDACTED]); [REDACTED], PRRD List, [REDACTED] at 0839, row [REDACTED], PHL-OTP-00015357, [REDACTED], row [REDACTED]; Open source, PHL-OTP-00015097 at 0606, row [REDACTED], PHL-OTP-00015098, [REDACTED], row [REDACTED]; PNP, PHL-OTP-00239508, PHL-OTP-00236400, PHL-OTP-00015903, PHL-OTP-00015905, PHL-OTP-00016404, PHL-OTP-00016405, PHL-OTP-00016406, PHL-OTP-00016407, PHL-OTP-00016408, PHL-OTP-00016409, PHL-OTP-00016410, PHL-OTP-00016411, PHL-OTP-00016412, PHL-OTP-00016413, PHL-OTP-00016414, PHL-OTP-00016415, PHL-OTP-00016416, PHL-OTP-00016417, PHL-OTP-00065027, PHL-OTP-00065245, PHL-OTP-00065246, PHL-OTP-00076178 at 0003, row [REDACTED], PHL-OTP-00088881, PHL-OTP-00088882, PHL-OTP-00000145 at 0158, row [REDACTED], PHL-OTP-00000146 at 0060, row [REDACTED]; Photographs, PHL-OTP-

198. [REDACTED] was a [REDACTED] target in the PRRD List.[922] He was listed as a drug pusher on [REDACTED] drugs watchlist and the *barangay* drugs watchlist.[923] [REDACTED] team, [REDACTED], were ordered by their commander, [REDACTED] on [REDACTED] 2016.[924] On [REDACTED] 2016, the team identified [REDACTED], an alleged drug pusher, as a potential target.[925] Following approval from [REDACTED], the [REDACTED] team prepared for the operation, [REDACTED].[926] [REDACTED], following confirmation of [REDACTED] location, the team went to [REDACTED],[927] [REDACTED].[928] [REDACTED], a few metres away.[929] The team located [REDACTED]. [REDACTED], handcuffed, and then shot [REDACTED] and killed, by [REDACTED] members [REDACTED] and [REDACTED].[930] [REDACTED] planted a gun and drugs on [REDACTED].[931]

199. A reward was paid for [REDACTED] murder.[932] [REDACTED] the police reports related to this incident, but stated that the "buy-bust" narrative described in these reports was false [REDACTED].[933] [REDACTED].[934] A media report corroborates that [REDACTED] was shot and killed by the PNP.[935] NAPOLCOM dismissed the case brought against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[936]

00019349-R01, PHL-OTP-00019353, PHL-OTP-00019355; Abante, PHL-OTP-00019357 (Translation PHL-OTP-00088879); Balita, PHL-OTP-00019359 (Translation PHL-OTP-00088880); PhilStar, PHL-OTP-00019361 (Translation PHL-OTP-00088870); PHL-OTP-0001-2369 at 2456; DILG, PHL-OTP-00000140_R01 at 0019; [REDACTED].

[922] [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED], row [REDACTED], PHL-OTP-00015096 at 0839, row [REDACTED]; PHL-OTP-00092261 at 0251, row [REDACTED], PHL-OTP-00092264 at 0088, row [REDACTED]. Open Source, PHL-OTP-00015097 at 0606, row [REDACTED], PHL-OTP-00015098, [REDACTED], row [REDACTED].

[923] [REDACTED] at 0062-0064, lines 2076-2120, 0054-0056, lines 1797-1858; PNP, PHL-OTP-00016406, PHL-OTP-00016416.

[924] [REDACTED] at 0021-0022, 0029-0031, 0034-0035, 0063-0064, lines 678-691, 944-962, 966-1011, 1104-1163, 2086-2120.

[925] [REDACTED] at 0022-0023, lines 702-732.

[926] [REDACTED] at 0023-0025, 0035-0036, 0046, lines 736-771, 779-791, 1137-1143, 1176-1185, 1520-1528.

[927] [REDACTED] at 0025, 0037, lines 794-821, 1210-1236.

[928] [REDACTED] at 0029, lines 940-943.

[929] [REDACTED] at 0025, 0037, lines 807-819, 1210-1228.

[930] [REDACTED] at 0025-0026, 0030-0031, 0038-0040, lines 821-825, 979-1009, 1260-1311.

[931] [REDACTED] at 0026, 0041-0042, 0050, lines 829-830, 1342-1389, 1668-1674.

[932] [REDACTED] at 0043-0044, 0051-0052, lines 1421-1444, 1708-1733.

[933] [REDACTED] at 0040, 0054-0058, 0060-0064, lines 1312-1320, 1799-1949, 1986-2120; PNP, PHL-OTP-00016406, PHL-OTP-00016409, PHL-OTP-00016416. *See also* DILG, PHL-OTP-00000140_R01 at 0019, 0037, 0074, row 3.

[934] [REDACTED] at 0058-0059, lines 1922-1977, [REDACTED]; PNP, PHL-OTP-00016409.

[935] [REDACTED] at 0064, lines 2121-2147; Balita, PHL-OTP-00019359 (Translation PHL-OTP-00088880).

[936] PNP, PHL-OTP-00239508 at 0002-0003.

Incident 20: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Manila.[937]

200. [REDACTED], was a known drug pusher[938] and noted in the PRRD List as such.[939] Around 17h00 on or about [REDACTED] 2016, [REDACTED].[940] Following a search, [REDACTED].[941] [REDACTED].[942] [REDACTED] was going to "*tokhang*" [REDACTED], meaning "[REDACTED] was going to get killed".[943] Around [REDACTED], [REDACTED] and other PNP personnel left [REDACTED].[944] Knowing the intention was to kill [REDACTED], [REDACTED] earlier that day.[945] The team killed [REDACTED]. [REDACTED], the team returned and [REDACTED][946] and [REDACTED].[947] [REDACTED].[948] [REDACTED].[949] [REDACTED][950] [REDACTED] a gun near [REDACTED] body.[951]

Incident 23: On or about the night of 4 to 5 October 2016, PNP personnel shot and killed alleged drug user Benjamin VISDA y CAPULE (alias 'Jon' or 'Jun') on or around

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[937] [REDACTED] at 0005-0010, lines 133-277, [REDACTED] at 0004-0026, lines 81-86, 93-815, [REDACTED] at 0006-0007, 0041-0042, 0045, 0049-0051, lines 169-181, 1337-1398, 1476-1482, 1622-1633, 1654-1677, [REDACTED] (Translation [REDACTED]); [REDACTED] at 0018-0019, paras 63-64, 81-88, [REDACTED] at 0001-0082; PNP, PHL-OTP-00236388-R01, PHL-OTP-00016375, PHL-OTP-00016376, PHL-OTP-00016377, PHL-OTP-00016378, PHL-OTP-00016379, PHL-OTP-00016380, PHL-OTP-00016381, PHL-OTP-00016383, PHL-OTP-00016384, PHL-OTP-00016385, PHL-OTP-00016386, PHL-OTP-00016387, PHL-OTP-00016388, PHL-OTP-00016389, PHL-OTP-00016390, PHL-OTP-00016391, PHL-OTP-00016392, PHL-OTP-00016393 (Translation PHL-OTP-88871), PHL-OTP-00016394, PHL-OTP-00016395, PHL-OTP-00016396, PHL-OTP-00016397, PHL-OTP-00016398, PHL-OTP-00016399, PHL-OTP-00016400, PHL-OTP-00016401, PHL-OTP-00016402, PHL-OTP-00016412, PHL-OTP-00076178 at 0004, row [REDACTED], PHL-OTP-00088871, PHL-OTP-00000145 at 0168, row [REDACTED], PHL-OTP-00000146 at 0070, row [REDACTED]; [REDACTED], PRRD List, PHL-OTP-00015357, [REDACTED], row [REDACTED], PHL-OTP-00015096 at 0857, row [REDACTED]; [REDACTED], PHL-OTP-00019404 [REDACTED], row [REDACTED]; PDEA, PRRD List, PHL-OTP-00092260 at 0091, row [REDACTED], PHL-OTP-00092261 at 0257, row [REDACTED], PHL-OTP-00092264 at 0101, row [REDACTED], Open source, PRRD List, PHL-OTP-00015097 at 0618, row [REDACTED], PHL-OTP-00015098, [REDACTED], row [REDACTED]; GMA, PHL-OTP-00019332 (Translation PHL-OTP-00091677); Al Jazeera, PHL-OTP-0003-0514 at 0009; PHL-OTP-0001-2369 at 0083; Inquirer, PHL-OTP-00249914; [REDACTED].
[938] [REDACTED] at 0006-0007, lines 169-181.
[939] [REDACTED] is noted as [REDACTED] drug pusher, *see* [REDACTED], PHL-OTP-00015357, Tab [REDACTED], row [REDACTED], PHL-OTP-00015096 at 0857, row [REDACTED]; [REDACTED], PHL-OTP-00019404, [REDACTED], row [REDACTED]; PDEA, PRRD List, PHL-OTP-00092260 at 0091, row [REDACTED], PHL-OTP-00092261 at 0257, row [REDACTED], PHL-OTP-00092264 at 0101, row [REDACTED];Open source, PRRD List, PHL-OTP-00015097 at 0618, row [REDACTED], PHL-OTP-00015098, [REDACTED], row [REDACTED].
[940] [REDACTED] at 0006-0007, lines 148-191.
[941] [REDACTED] at 0007, 0010, lines 184-195, 275-277, [REDACTED] at 0004, lines 81-86, [REDACTED] at 0041, line 1350.
[942] [REDACTED] at 0007, lines 194-205, [REDACTED] at 0045, lines 1476-1482.
[943] [REDACTED] at 0008, lines 210-231, [REDACTED] at 0041, 0045, lines 1337-1348, 1476-1482.
[944] [REDACTED] at 0009, lines 240-261, [REDACTED] at 0041-0042, lines 1353-1391.
[945] [REDACTED] at 0008, lines 233-237, [REDACTED] at 0041, lines 1343-1356.
[946] [REDACTED] at 0009, lines 263-272, [REDACTED] at 0042, lines 1387-1398.
[947] [REDACTED] at 0049, lines 1636-1641.
[948] [REDACTED] at 0049-0051, lines 1622-1633, 1654-1677.
[949] [REDACTED] at 0044-0048, lines 1451-1601; PNP, PHL-OTP-00016400.
[950] [REDACTED] at 0018-0019, para. 82.
[951] [REDACTED] at 0018-0019, paras 82-84; [REDACTED] at 0001-0006.

Raxabago Street, Tondo, Manila. The victim was listed as a drug user on MPD PS-1's "July Illegal Drug Watchlist".[952]

201. VISDA was listed as a drug user on [REDACTED][953] and had previously surrendered himself during a *tokhang* operation on [REDACTED] 2016.[954] On or about the night of 4 to 5 October 2016,[955] [REDACTED].[956] [REDACTED] the police from taking VISDA, so the police [REDACTED], handcuffed him and forced him onto a motorcycle [REDACTED].[957] These events were partially captured on *barangay* CCTV footage, [REDACTED].[958] [REDACTED], where police officers [REDACTED]. On [REDACTED] orders, [REDACTED] shot VISDA multiple times.[959] [REDACTED], he shot him again, killing him.[960]

202. [REDACTED].[961] [REDACTED],[962] [REDACTED].[963] While waiting, he heard a gunshot, and approximately [REDACTED] was informed by [REDACTED] that an operation had taken place.[964] Upon arriving at the scene of the operation, which was around 100m from the police station, [REDACTED], saw VISDA lying on the street.[965] [REDACTED] VISDA, who appeared to be dead and had his hands cuffed in front of his body, was then loaded into a tricycle.[966] [REDACTED] VISDA's body in handcuffs, with multiple gunshot wounds to his head.[967]

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[952] [REDACTED] at 0007-0023, lines 204-734, [REDACTED] at 0002-0016, lines 12-493, [REDACTED] (Translation [REDACTED]); [REDACTED] at 0661-0663, paras. 182-190, [REDACTED] at 0040-0079; [REDACTED] at 0014-0015, 0019-0022, paras 63-64, 89-103, [REDACTED]; [REDACTED] at 0053-0054, paras 255-258, [REDACTED] at 0024; PNP, PHL-OTP-00016775, PHL-OTP-00016776, PHL-OTP-00016777, PHL-OTP-00016778, PHL-OTP-00016779, PHL-OTP-00016780, PHL-OTP-00016781, PHL-OTP-00016782, PHL-OTP-00016783, PHL-OTP-00016784, PHL-OTP-00016785, PHL-OTP-00016786, PHL-OTP-00016787, PHL-OTP-00016788, PHL-OTP-00016789, PHL-OTP-00016790, PHL-OTP-00236339-R01, PHL-OTP-00236355-R01 at 0009-0010, PHL-OTP-00236303 at 0001-0004, 0013, 0028-0030; HRW, PHL-OTP-0003-0662 at 0737-0740, PHL-OTP-0005-1125 at 1173-1174; GoPHL, PHL-OTP-00015250 at 0286-0287 (Translation PHL-OTP-00019308 at 0502-0504); PhilStar, PHL-OTP-00000381 at 0002; Reuters, PHL-OTP-00249916 at 0003.
[953] PNP, PHL-OTP-00016789 at 0001, para. 2, PHL-OTP-00016776 at 0001, para. 2, PHL-OTP-00236339-R01 at 0001.
[954] PHL-OTP-00236355-R01 at 0009-0010.
[955] *See e.g.* PNP, PHL-OTP-00016775, PHL-OTP-00016776; [REDACTED] at 0019, para. 90.
[956] [REDACTED] at 0008, 0014-0015, lines 217-240, 481-486. *See also* [REDACTED] at 0662, paras. 184-185.
[957] [REDACTED] at 0008-0009, lines 237-255; [REDACTED].
[958] [REDACTED] at 0005-0010, lines 124-276; [REDACTED] at 0663, para. 190, [REDACTED].
[959] [REDACTED] at 0009-0010, lines 259-308.
[960] [REDACTED] at 0011, lines 315-337.
[961] [REDACTED] at 0014-0015, 0019-0022, paras. 63-64, 89-103.
[962] PNP, PHL-OTP-00016782 at 0001.
[963] [REDACTED] at 0019-0020, para. 90.
[964] [REDACTED] at 0020, paras. 91-92.
[965] [REDACTED] at 0019-0020, paras. 92-94.
[966] [REDACTED] at 0020-0021, paras. 93-94.
[967] [REDACTED] at 0662-0663, paras. 187-188. For photographs of [REDACTED], *see e.g.* PHL-OTP-00235897 at 0040-0079.

203. The PNP falsely claimed that VISDA, in handcuffs, had snatched the firearm of a police officer whilst the motorcycle was in transit, shot at police and was subsequently shot and killed by police in self-defence.[968] This is contradicted [REDACTED].[969] [REDACTED].[970] [REDACTED].[971] NAPOLCOM dismissed a case against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[972]

Incident 24: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] on or around [REDACTED], Manila.[973]

204. On or about the evening of [REDACTED] 2016, members of [REDACTED] team, [REDACTED], were ordered to go to [REDACTED].[974] The plan was that [REDACTED] would kill someone and [REDACTED] police station.[975] [REDACTED].[976] [REDACTED].[977] [REDACTED] was holding [REDACTED], whose hands were handcuffed behind his back.[978] [REDACTED].[979] [REDACTED], who then shot [REDACTED] twice in the chest.[980] [REDACTED].[981] [REDACTED],[982] but said that the [REDACTED].[983] Contemporaneous media reports [REDACTED].[984]

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[968] PNP, PHL-OTP-00016790 at 0001, PHL-OTP-00016787 at 0002, para. 6; [REDACTED] at 0663, para. 189. *See also* HRW, PHL-OTP-0003-0662 at 0737-0740, PHL-OTP-0005-1125 at 1173-1174; PhilStar, PHL-OTP-00000381 at 0002.
[969] [REDACTED] at 0021-0022, lines 679-694, [REDACTED] at 0002-0004, lines 12-104; PNP, PHL-OTP-00016787.
[970] [REDACTED] at 0022-0023, lines 720-734, [REDACTED] at 0002-0005, lines 12-116; PNP, PHL-OTP-00016787.
[971] [REDACTED] at 0015, lines 446-452.
[972] PNP, PHL-OTP-00236303 at 0004.
[973] [REDACTED] at 0017-0042, lines 539-1393, [REDACTED] at 0015-0016, lines 467-488, 496-506, [REDACTED] at 0024-0025, lines 764-783, [REDACTED] (Translation [REDACTED] at 0002); PNP, PHL-OTP-00236330 at 0001, PHL-OTP-00016681, PHL-OTP-00016682, PHL-OTP-00016683, PHL-OTP-00016684, PHL-OTP-00016685, PHL-OTP-00016686, PHL-OTP-00016687, PHL-OTP-00016688, PHL-OTP-00016689, PHL-OTP-00016690, PHL-OTP-00016691, PHL-OTP-00016692, PHL-OTP-00016693, PHL-OTP-00016694, PHL-OTP-00016695, PHL-OTP-00239504, PHL-OTP-00239615, PHL-OTP-00236334; Balita, PHL-OTP-00019338 (Translation PHL-OTP-00088878 at 0001); PhilStar, PHL-OTP-00019340 at 0002; Tempo, PHL-OTP-00019336.
[974] [REDACTED] at 0019, lines 606-612. *See also* PHL-OTP-00016681, PHL-OTP-00016692.
[975] [REDACTED] at 0024-0025, lines 764-783, [REDACTED] at 0018-0019, lines 569-598, 617-621, [REDACTED] Translation [REDACTED] at 0002). For the [REDACTED], *see* PHL-OTP-00016191.
[976] [REDACTED] at 0019-0020, lines 617-638, [REDACTED] at 0016, lines 496-506, [REDACTED] (Translation [REDACTED] at 0002). *See also* PHL-OTP-00236334.
[977] [REDACTED] at 0020, 0028-0029, 0031-0032, lines 640-646, 923-937, 1022-1033, [REDACTED] at 0015, lines 467-488. *See also* [REDACTED].
[978] [REDACTED] at 0020, lines 648-650.
[979] [REDACTED] at 0020-0021, lines 652-657.
[980] [REDACTED] at 0020-0021, 0033-0034, lines 654-664, 1067-1101; PNP, PHL-OTP-00016685.
[981] [REDACTED] at 0036, lines 1180-1198.
[982] [REDACTED] at 0038-0039, lines 1234-1275; PNP, PHL-OTP-00016692.
[983] [REDACTED] at 0040, lines 1302-1335; PNP, PHL-OTP-00236330 at 0001. *See also* PHL-OTP-00016681, PHL-OTP-00016684, PHL-OTP-00016692, PHL-OTP-00016693,
[984] Tempo, PHL-OTP-00019336; Balita, PHL-OTP-00019338 (Translation PHL-OTP-00088878 at 0001); PhilStar, PHL-OTP-00019340 at 0002.

205. NAPOLCOM dismissed a case brought against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[985]

Incident 26: On or about [REDACTED] 2017, PNP personnel shot and killed alleged drug user [REDACTED], on or around [REDACTED], Manila.[986]

206. [REDACTED] was an alleged drug user [REDACTED].[987] [REDACTED].[988] [REDACTED].[989] [REDACTED].[990] [REDACTED][991] [REDACTED][992] Between around 22h00 and midnight on or about [REDACTED] 2017,[993] [REDACTED].[994] Police [REDACTED] shot [REDACTED] multiple times until he was dead.[995] [REDACTED] dead [REDACTED], covered in blood, [REDACTED].[996] [REDACTED].[997]

Incident 33: On or about [REDACTED] 2017, PNP personnel shot and killed alleged drug users [REDACTED] and [REDACTED][998] in or around [REDACTED]. The victims were listed as drug pushers on the [REDACTED].[999]

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[985] PNP, PHL-OTP-00239504 at 0001-0002, PHL-OTP-00016682

[986] [REDACTED] at 0010-0037, lines 282-1202, [REDACTED] at 0004-0015, lines 89-449, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00016405, PHL-OTP-00016692, PHL-OTP-00236383-R01, PHL-OTP-00016892, PHL-OTP-00016895, PHL-OTP-00065484, PHL-OTP-00065485, PHL-OTP-00065489, PHL-OTP-00065490, PHL-OTP-00065491, PHL-OTP-00065492, PHL-OTP-00065493, PHL-OTP-00065494, PHL-OTP-00065495, PHL-OTP-00076178 at 0016, row [REDACTED].

[987] [REDACTED] at 0010-0014, 0018, 0030, lines 282-338, 370-380, 399-414, 438-440, 548-579, 971-975, [REDACTED] at 0005, 0013-0015, lines 117-124, 382-397, 417-449.

[988] [REDACTED] at 0005-0006, 0011-0012, lines 122-157, 310-330, [REDACTED] at 0015, 0017, 0019-0020, lines 451-460, 527-531, 593-621.

[989] [REDACTED] at 0006, 0010-0012, lines 135, 294-364, [REDACTED] at 0014-0015, lines 443-462.

[990] [REDACTED] at 0006, 0010-0012, lines 135, 294-361.

[991] PNP, PHL-OTP-00016405. For the [REDACTED], *see* PHL-OTP-00065495.

[992] [REDACTED] at 0006, line 146.

[993] [REDACTED] at 0017, lines 533-537, PNP, PHL-OTP-00065491.

[994] [REDACTED] at 0011, line 336, [REDACTED] at 0006-0007, lines 150-179. For the [REDACTED], *see* PHL-OTP-00016692.

[995] [REDACTED] at 0010, lines 303-304, [REDACTED] at 0007-0009, lines 179-181, 223-229. For the [REDACTED], *see* PHL-OTP-00016643.

[996] [REDACTED] at 0008-0009, lines 230-252.

[997] [REDACTED] at 0031-0033, 0035, lines 1023-1093, 1150-1154; PNP, PHL-OTP-00065491, PHL-OTP-00065492, PHL-OTP-00065493, PHL-OTP-00065494, PHL-OTP-00065495, PHL-OTP-00065484, PHL-OTP-00065485.

[998] Alternative spelling: [REDACTED].

[999] [REDACTED] at 0018-0026, 0036-0037, 0048, lines 557-564, 575-581, 644-804, 825-828, 1188-1195, 1208-1224, 1580-1591, [REDACTED] at 0010, 0013-0014, 0041-0050, lines 276-278, 389-435, 1346-1627, [REDACTED] at 0003, 0010-0014, 0022, lines 36-43, 297-420, 687-701, [REDACTED] at 00:00:00-00:04:41, [REDACTED] at 00:00:00-00:04:35; GoPHL, PHL-OTP-00066963; PNP, PHL-OTP-00066960, row [REDACTED], PHL-OTP-00066961, row [REDACTED], PHL-OTP-00066962, row [REDACTED], PHL-OTP-00066963, PHL-OTP-00066964, PHL-OTP-00066965, PHL-OTP-00066967, PHL-OTP-00066968, PHL-OTP-00066970, PHL-OTP-00066971, PHL-OTP-00076265 at 0001, para. 2, PHL-OTP-00066954, PHL-OTP-00236389 at 0002, PHL-OTP-00240365 at 0004, PHL-OTP-00240366 at 0003; Reuters, PHL-OTP-0003-0517, PHL-OTP-0002-0599, PHL-OTP-00088932; Inquirer, PHL-OTP-00088930; ABS-CBN, PHL-OTP-00088921 (Transcript PHL-OTP-00091667; Translation PHL-OTP-00091674 at 0002, lines 18-19, 23-27, 30-31); RINJ Press, PHL-OTP-00000046.

207. [REDACTED] and [REDACTED] were alleged drug pushers/users, on drug watchlists [REDACTED].[1000] They were targeted and killed by PNP personnel during a purported buy-bust operation, in which another alleged drug pusher/user, [REDACTED],[1001] was also killed.[1002] On or about [REDACTED] 2017, in the early afternoon, [1003] [REDACTED] and [REDACTED], and were confronted by armed police.[1004] Despite police offering reassurance to [REDACTED] that [REDACTED][1005] they then shot and killed [REDACTED] and [REDACTED].[1006]

208. Reportedly, *shabu* and guns were later found at the location.[1007] When visiting the police station a short time later, [REDACTED] was told by [REDACTED][1008] Subsequently, [REDACTED].[1009] [REDACTED].[1010] Police reports on this incident falsely state that [REDACTED] and [REDACTED] were shot by PNP members in self-defence during a buy-bust operation.[1011] NAPOLCOM dismissed the case against police officers on the basis of "lack of substantial evidence" and cited the "presumption of regularity".[1012]

Incident 35: On or about [REDACTED] 2018, PNP personnel shot and killed [REDACTED] on or around [REDACTED], Manila.[1013]

[1000] [REDACTED] at 0018, lines 557-564, 575-581, [REDACTED] at 0022, lines 687-701; PNP, PHL-OTP-00066964, PHL-OTP-00066960, row [REDACTED], PHL-OTP-00066961, row [REDACTED], PHL-OTP-00076265 at 0001, para. 2, PHL-OTP-00236389 at 0002.
[1001] PNP, PHL-OTP-00066962, row [REDACTED]. Alternative spelling: [REDACTED].
[1002] [REDACTED]; GoPHL, PHL-OTP-00066963, PHL-OTP-00066964, PHL-OTP-00066965; PNP, PHL-OTP-00066967, PHL-OTP-00066968, PHL-OTP-00076265; Reuters, PHL-OTP-0003-0517, PHL-OTP-0002-0599; Inquirer, PHL-OTP-00088930; ABS-CBN, PHL-OTP-00088921 (Transcript PHL-OTP-00091667; Translation PHL-OTP-00091674 at 0002).
[1003] *See e.g.* PNP, PHL-OTP-00076265.
[1004] [REDACTED] at 0020-0022, 0037, 0048, lines 644-694, 1208-1224, 1580-1591, [REDACTED].
[1005] [REDACTED] at 0021-0022, lines 683, 692-694.
[1006] [REDACTED] at 0022-0023, lines 692-723, [REDACTED] at 0010, 0013-0014, lines 276-278, 389-435, [REDACTED]. *See also e.g.* PNP, PHL-OTP-00066964, PHL-OTP-00066965, PHL-OTP-00076265.
[1007] PNP, PHL-OTP-00236389 at 0002, PHL-OTP-00066971, PHL-OTP-00066970.
[1008] [REDACTED] at 0024-0025, lines 778-804, [REDACTED] at 0010-0014, lines 297-420.
[1009] [REDACTED] at 0026, lines 825-828.
[1010] [REDACTED] at 00:00:00-00:04:41, [REDACTED] at 0041-0050, lines 1346-1627, [REDACTED] at 00:00:00-00:04:35. *See also* RINJ Press, PHL-OTP-00000046; ABS-CBN, PHL-OTP-00088921 (Transcript PHL-OTP-00091667; Translation PHL-OTP-00091674 at 0002, lines 18-19, 23-27, 30-31).
[1011] *See e.g.* PNP, PHL-OTP-00066964, PHL-OTP-00066965, PHL-OTP-00076265, PHL-OTP-00066954.
[1012] PNP, PHL-OTP-00240366 at 0003. *See also* PHL-OTP-00240365 at 0004.
[1013] [REDACTED] at 0027-0035, lines 851-1098, [REDACTED] at 0011-0026, lines 334-806, [REDACTED] at 0002-0016, lines 11-487, [REDACTED] at 0066-0074, lines 2192-2490, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00236366, PHL-OTP-00236367, PHL-OTP-00240377, PHL-OTP-00019305, PHL-OTP-00019306; Police Metro, PHL-OTP-00019126 (Translation PHL-OTP-00088874); Press Reader, PHL-OTP-00019128 (Translation PHL-OTP-00088875); Abante, PHL-OTP-00019130 (Translation PHL-OTP-00088876); PhilStar, PHL-OTP-00091710.

209. [REDACTED], an alleged drug user.[1014] [REDACTED], on or about [REDACTED] 2018,[1015] members of [REDACTED] planned an operation to kill [REDACTED].[1016] [REDACTED] were involved in this operation [REDACTED] which would allow them to increase the number of their killings, and in turn, [REDACTED].[1017] The team, [REDACTED], entered [REDACTED], at around 13h30.[1018] [REDACTED].[1019] [REDACTED].[1020] Following [REDACTED],[1021] [REDACTED] shot [REDACTED], then shot him again to ensure he was dead.[1022] [REDACTED].[1023] [REDACTED].[1024] Media articles confirm that [REDACTED] was killed in a police operation on [REDACTED] 2018.[1025]

210. NAPOLCOM dismissed a case against the police officers involved in the incident, noting that the officers had acted in self-defence and citing "the presumption of regularity in the performance of duty".[1026]

Incident 36: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug pushers FNU LNU [REDACTED] and FNU LNU [REDACTED] on or around [REDACTED], Manila.[1027]

211. Around 18h00 on [REDACTED] 2018,[1028] two men, [REDACTED] and [REDACTED], were brought to [REDACTED].[1029] [REDACTED] team that they would be [REDACTED][1030]

[1014] [REDACTED] at 0015-0016, lines 463-489; Press Reader, PHL-OTP-00019128 (Translation PHL-OTP-00088875); PNP, PHL-OTP-00236367; Abante, PHL-OTP-00019130 (Translation PHL-OTP-00088876); PhilStar, PHL-OTP-00091710.
[1015] *See e.g.* PNP, PHL-OTP-00019305, PHL-OTP-00019306.
[1016] [REDACTED] at 0016-0020, lines 490-596.
[1017] [REDACTED] at 0021-0023, lines 661-727.
[1018] [REDACTED] at 0012, 0014-0015, 0020, lines 338-343, 406-451, 616-618, [REDACTED].
[1019] [REDACTED] at 0005, lines 103-107; Police Metro, PHL-OTP-00019126 (Translation PHL-OTP-00088874); Press Reader, PHL-OTP-00019128 (Translation PHL-OTP-00088875); Abante, PHL-OTP-00019130 (Translation PHL-OTP-00088876); PhilStar, PHL-OTP-00091710.
[1020] [REDACTED] at 0005-0006, lines 109-137.
[1021] [REDACTED] at 0006, lines 152-162.
[1022] [REDACTED] at 0029, lines 916-923, [REDACTED] at 0010-0012, lines 278-353, [REDACTED].
[1023] [REDACTED] at 0066-0073, lines 2208-2460, [REDACTED] at 0012-0013, lines 360-368; PNP, PHL-OTP-00019305, PHL-OTP-00019306.
[1024] [REDACTED] at 0013-0014, lines 391-405.
[1025] Police Metro, PHL-OTP-00019126 (Translation PHL-OTP-00088874); Press Reader, PHL-OTP-00019128 (Translation PHL-OTP-00088875); Abante, PHL-OTP-00019130 (Translation PHL-OTP-00088876); PhilStar, PHL-OTP-00091710.
[1026] PNP, PHL-OTP-00240377 at 0005-0007.
[1027] [REDACTED] at 0016-0018, lines 478-565, [REDACTED] at 0004-0034, lines 93-1088, [REDACTED] at 0006-0008, lines 144-219, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00236404, PHL-OTP-00016225, PHL-OTP-00016226, PHL-OTP-00016227, PHL-OTP-00016228, PHL-OTP-00016229; GMA News TV, PHL-OTP-00019121 (Transcript PHL-OTP-00091666; Translation PHL-OTP-00091673); Police Metro, PHL-OTP-00019124 (Translation PHL-OTP-00019364).
[1028] *See e.g.* PNP, PHL-OTP-00016225.
[1029] [REDACTED] at 0005, lines 124-132.
[1030] [REDACTED] at 0005-0007, 0014, lines 124-168, 405-430.

[REDACTED] that the intention was to kill [REDACTED] and [REDACTED] as "*tokhang*" victims.[1031] At around [REDACTED] and [REDACTED] in handcuffs, were transported [REDACTED] to [REDACTED][1032] [REDACTED].[1033] [REDACTED] officers [REDACTED].[1034] They then [REDACTED].[1035]

212. [REDACTED].[1036] [REDACTED].[1037]

Incident 48: On or about the night of [REDACTED] 2018, PNP personnel shot and killed alleged drug user [REDACTED] at [REDACTED], Manila.[1038]

213. [REDACTED] was listed as a drug user on [REDACTED] and also a known [REDACTED].[1039] [REDACTED] PNP team [REDACTED] told [REDACTED] that [REDACTED] was "to be killed" and that it was "OK to do a *tokhang*" [REDACTED].[1040] [REDACTED] understood this to mean "that it would be all right to remove [REDACTED] from this world".[1041] Between 03h00 and 04h30 on [REDACTED] 2018,[1042] the [REDACTED] team forced their way into [REDACTED] house.[1043] [REDACTED] shot [REDACTED] in the

[1031] [REDACTED] at 0015, lines 433-443.
[1032] [REDACTED] at 0007-0008, 0015-0016, 0024, lines 172-215, 450-480, 732-740, [REDACTED] at 0006, lines 144-145; PNP, PHL-OTP-00016225, PHL-OTP-00016226.
[1033] [REDACTED] at 0008-0009, 0018-0019, lines 217-236, 541-587.
[1034] [REDACTED] at 0005, 0009, 0020-0022, 0025, lines 102-112, 238-241, 602-675, 762-790.
[1035] [REDACTED] at 0022-0023, lines 679-711.
[1036] [REDACTED] at 0010-0011, lines 268-312.
[1037] [REDACTED] at 0024, lines 728-750, [REDACTED] at 0007-0008, lines 171-219; PNP, PHL-OTP-00016227, PHL-OTP-00016228, PHL-OTP-00236404.
[1038] [REDACTED] at 0022-0023, 0026-0029, lines 705-730, 827-948, [REDACTED] at 0007, 0017-0018, lines 180-187, 521-522, 530-556, [REDACTED] at 0004, 0012-0013, 0015-0016, 0018-0021, lines 75-105, 356-371, 384-402, 479-508, 513-518, 588-596, 601-606, 617-631, 639-692, [REDACTED] at 0002-0005, 0007-0015, 0022-0026, 0028-0028, lines 23-25, 36-80, 92-113, 191-223, 256-456, 612-614, 702-832, 886-945, [REDACTED] at 0011-0012, lines 327-335, 350-360, [REDACTED] at 0002-0003, lines 17-69, [REDACTED]; [REDACTED] at 001-0013, 0020-0021, lines 337-347, 350-353, 406-407, 637-667, [REDACTED] at 0006, 0033, lines 161-169, 1055-1069, [REDACTED] at 0004, lines 77-82; PNP, PHL-OTP-00239595, PHL-OTP-00239481, PHL-OTP-00090510, PHL-OTP-00090511, PHL-OTP-00236337, PHL-OTP-00016443; Inquirer, PHL-OTP-00090505; [REDACTED].
[1039] [REDACTED] at 0022-0023, lines 705-730, [REDACTED] at 0015-0016, lines 483-508, [REDACTED] at 0004, lines 68-80.
[1040] [REDACTED] at 0017, lines 521-522, [REDACTED] at 0012, 0015-0016, lines 359-371, 479-498, [REDACTED] at 0003-0004, lines 36-80.
[1041] [REDACTED] at 0003-0004, lines 36-80.
[1042] [REDACTED] at 0002, 0020, lines 23-25, 612-614; [REDACTED] at 0011, lines 337-338; PNP, PHL-OTP-00236337 at 0001.
[1043] [REDACTED] at 0016, lines 513-518, [REDACTED] at 0004-0005, 0007-0008, 0010, 0028-0029, lines 92-113, 191-223, 288-300, 886-945, [REDACTED] at 0011, lines 327-335, [REDACTED].

chest and he fell.[1044] [REDACTED].[1045] [REDACTED] to kill him.[1046] The team then placed gun black powder on [REDACTED] hands, and planted a gun on him.[1047] [REDACTED].[1048]

214. PNP reports falsely concluded that [REDACTED] was killed in self-defence.[1049] NAPOLCOM dismissed a case brought against the police officers involved in the incident, including [REDACTED] for "Grave Misconduct (Homicide)", and [REDACTED] for "Grave Neglect of Duty".[1050] The decision notes that while the officers "may have caused the unfortunate death of the suspect" they had done so in self-defence.[1051] The report notes, contrary to [REDACTED] account,[1052] that [REDACTED] was "[f]ortunately […] able to defend himself, proved the justification [of] the death of the suspect and proved the legitimacy of their police operation".[1053]

215. [REDACTED], was also [REDACTED] that morning.[1054] [REDACTED][1055] and pleading for his life before being shot.[1056] [REDACTED] before he killed him.[1057] As [REDACTED] body was being taken away, [REDACTED].[1058] [REDACTED] stated that "during the *tokhang* time […] we were traumatised" and that the police "weren't being selective anymore […] as long as they had someone to kill."[1059] [REDACTED] further stated that the person [REDACTED] holds responsible for [REDACTED] death is "the one at the very top, the [P]resident, because he was the one who made those orders for something like that to happen."[1060]

[1044] [REDACTED] at 0009-0012, lines 256-354, [REDACTED] at 0018-0019, lines 588-592.
[1045] [REDACTED] at 0012, 0019, lines 356-358, 594-596, [REDACTED] at 0012-0014, lines 355-439, [REDACTED] at 0012, lines 350-360.
[1046] [REDACTED] at 0019-0020, lines 617-628, [REDACTED] at 0014-0015, lines 440-456; PNP, PHL-OTP-00016443.
[1047] [REDACTED] at 0020, lines 630-631, [REDACTED] at 0022-0026, lines 702-832.
[1048] [REDACTED] at 0007, 0017-0018, lines 180-187, 530-556, [REDACTED] at 0004, 0012-0013, lines 72-105, 384-402.
[1049] [REDACTED] at 0020-0021, lines 639-686; PNP, PHL-OTP-00236337 at 0001. *See also* Inquirer, PHL-OTP-00090505; [REDACTED].
[1050] PNP, PHL-OTP-00239595, PHL-OTP-00239481, PHL-OTP-00090510, PHL-OTP-00090511.
[1051] PNP, PHL-OTP-00239481at 0002, PHL-OTP-00090511.
[1052] [REDACTED] at 0002-0003, lines 17-69, [REDACTED] at 0020-0021, lines 639-686, [REDACTED] at 0026-0029, lines 827-948.
[1053] PNP, PHL-OTP-00239595 at 0003.
[1054] [REDACTED] at 0011-0012, 0020-0021, lines 337-347, 639-667.
[1055] [REDACTED] at 0011, 0021, lines 337-342, 653-667, [REDACTED] at 0006, lines 161-167.
[1056] [REDACTED] at 0012, lines 350-353, [REDACTED] at 0006, lines 161-169.
[1057] [REDACTED] at 0019, lines 601-606.
[1058] [REDACTED] at 0013, lines 406-407.
[1059] [REDACTED] at 0033, lines 1055-1069.
[1060] [REDACTED] at 0004, lines 77-82.

Incident 49: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED]. [1061]

216. [REDACTED][1062] was an alleged drug pusher.[1063] On or about the evening of [REDACTED] 2018,[1064] [REDACTED] instructed the [REDACTED] team, including [REDACTED], to kill [REDACTED] in a "*tokhang*".[1065] Around 23h00,[1066] the team, led by [REDACTED],[1067] entered [REDACTED] on the [REDACTED].[1068] [REDACTED], who was unarmed and whom the police knew to be [REDACTED].[1069] When the police entered, he [REDACTED].[1070] [REDACTED] shot [REDACTED].[1071] [REDACTED].[1072] [REDACTED] died after being shot multiple times.[1073] [REDACTED].[1074]

217. A PNP report and a contemporaneous media report falsely claimed that [REDACTED] had been killed in a "buy-bust operation".[1075] NAPOLCOM dismissed cases brought against the police officers involved in the incident, including [REDACTED] for "Grave Misconduct (Homicide)", and, *inter alia*, [REDACTED] for "Grave Neglect of Duty".[1076] One decision noted that while the officers "may have caused the unfortunate death of the suspect" they had done so in self-defence.[1077]

[1061] [REDACTED] at 0023-0031, lines 727-987, [REDACTED] at 0002-0014, lines 13-400, [REDACTED] at 0002-0014, lines 11-420, [REDACTED] at 0007-0011, lines 180-324, [REDACTED] at 0075-0083, lines 2508-2788, [REDACTED] (Translation [REDACTED]); [REDACTED] at 0019-0020, lines 600-612, [REDACTED] at 0029-0031, lines 958-960, 995-1000, [REDACTED] at 0014-0018, lines 432-437, 447-508, 526-576; PNP, PHL-OTP-00240379, PHL-OTP-00240378, PHL-OTP-00236338; Inquirer, PHL-OTP-00019347; [REDACTED].
[1062] [REDACTED] at 0079-0080, lines 2644-2673; Inquirer, PHL-OTP-00019347 at 0001.
[1063] [REDACTED] at 0005-0006, lines 127-141; [REDACTED] at 0014, lines 432-437; Inquirer, PHL-OTP-00019347 at 0001.
[1064] [REDACTED] at 0019-0020, lines 600-612; PNP, PHL-OTP-00236338 at 0001; Inquirer, PHL-OTP-00019347 at 0001.
[1065] [REDACTED] at 0025-0026, lines 764-799, [REDACTED] at 0003-0005, lines 57-106, [REDACTED] at 0083-0084, lines 2805-2807; [REDACTED] at 0017-0018, lines 526-576.
[1066] [REDACTED] at 0026, lines 805-807.
[1067] [REDACTED] at 0004-0005, lines 67-113; [REDACTED] at 0030-0031, lines 995-1000; Inquirer, PHL-OTP-00019347 at 0001.
[1068] [REDACTED] at 0027, lines 833-852, [REDACTED] at 0008-0010, lines 209-297, [REDACTED]; [REDACTED] at 0029, lines 958-960; Inquirer, PHL-OTP-00019347 at 0001.
[1069] [REDACTED] at 0028, 0031, lines 876, 975-979, [REDACTED] at 0013, lines 379-387, [REDACTED] at 0012, lines 338-340; Inquirer, PHL-OTP-00019347 at 0001.
[1070] [REDACTED] at 0028, lines 876-878, [REDACTED] at 0011-0012, lines 326-348, [REDACTED] at 0076, lines 2534-2540.
[1071] [REDACTED] at 0026, 0028, lines 801-803, 874-885, [REDACTED] at 0005-0006, lines 129-165; [REDACTED] at 0014, lines 470-472.
[1072] [REDACTED] at 0028, lines 885-890; [REDACTED] at 0014-0016, lines 447-508.
[1073] [REDACTED] at 0007-0009, lines 185-207, 246-264; Inquirer, PHL-OTP-00019347 at 0001.
[1074] [REDACTED] at 0014, 0018, lines 432-435, 561-564.
[1075] PNP, PHL-OTP-00236338 at 0001-0002; Inquirer, PHL-OTP-00019347 at 0001.
[1076] PNP, PHL-OTP-00240379 at 0002. *See also* PHL-OTP-00240378 at 0004.
[1077] PNP, PHL-OTP-00240379 at 0002.

[REDACTED], City of Manila, NCR (Incident 31)

218. The murder charged in [REDACTED] was committed by PNP members of [REDACTED].[1078] This murder also involved [REDACTED] who was working with the [REDACTED] at the time.[1079] [REDACTED] explained that when [REDACTED], he realised "it was still the same thing. There's still killings and *tokhang*".[1080]

Incident 31: On or about [REDACTED] 2017, PNP personnel shot and killed alleged thief [REDACTED] on or around [REDACTED], Manila.[1081]

219. [REDACTED] a meeting on or about [REDACTED] 2017, during which [REDACTED] ordered police officer [REDACTED] to go and find [REDACTED][1082] Around [REDACTED] later, [REDACTED], an alleged thief,[1083] [REDACTED].[1084] [REDACTED].[1085] The plan was to "*tokhang*" [REDACTED].[1086] Police officer [REDACTED] and the gun and drugs that would be planted on [REDACTED] were provided by [REDACTED].[1087] Late on [REDACTED] 2017, [REDACTED], his hands handcuffed behind his back, was taken by PNP officers, [REDACTED], to the area [REDACTED].[1088] There, [REDACTED] shot [REDACTED] multiple times and killed him.[1089] [REDACTED].[1090]

[REDACTED], City of Manila, NCR (Incident 43)

220. The murder charged in [REDACTED] was committed by PNP officers from MPD [REDACTED].[1091] This incident was witnessed by [REDACTED].[1092] [REDACTED]

[1078] *See* Annex I.3. *See also* Annex I.2.
[1079] [REDACTED] at 0010, lines 284-301.
[1080] [REDACTED] at 0011, lines 337-399.
[1081] [REDACTED] at 0010-0011, lines 261-332, [REDACTED] at 0002-0004, lines 12-90, [REDACTED] at 0016-0039, lines 474-1244, [REDACTED] at 0082-0083, 0086-0087, lines 2793-2839, 2898-2921, [REDACTED] at 0061-0062, lines 2048-2070, [REDACTED] (Translation [REDACTED]); PNP, PHL-OTP-00236405, PHL-OTP-00236372-R01; PHL-OTP-00018827, PHL-OTP-00018830, PHL-OTP-00018831, PHL-OTP-00018832, PHL-OTP-00018833, PHL-OTP-00018834, PHL-OTP-00018835, PHL-OTP-00018836; YouTube, PHL-OTP-00019344; PHL-OTP-00240341, Tab MPD, row 35.
[1082] [REDACTED] at 0016, 0023-0025, lines 474-490, 718-720, 763-795, [REDACTED] at 0010, line 303.
[1083] PHL-OTP-00236372-R01PNP, PHL-OTP-00018827.
[1084] [REDACTED] at 0016-0017, 0027-0028, lines 492-520, 859-872.
[1085] [REDACTED] at 0017, lines 519-520.
[1086] [REDACTED] at 0017-0018, 0028, 0030, lines 526-545, 888-894, 948-961, [REDACTED] at 0011, lines 314-320.
[1087] [REDACTED] at 0018, 0028-0030, lines 538-559, 895-941; PNP, PHL-OTP-00018831 at 0001.
[1088] [REDACTED] at 0019-0020, 0032, lines 580-605, 1013-1016; PNP, PHL-OTP-00018831 at 0001.
[1089] [REDACTED] at 0020, 0032-0034, 0036, lines 608-628, 1007-1034, 1058-1089, 1144-1161, [REDACTED].
[1090] [REDACTED] at 0002-0004, lines 12-90; PNP, PHL-OTP-00018831 at 0001, PHL-OTP-00236405 at 0001-0002.
[1091] *See* Annex I.3. *See also* Annex I.2.
[1092] *See below* Incident 43.

explained that the PNP in [REDACTED] specifically targeted drug users and pushers and "when the war on drugs started, that's when the killings started happening."[1093]

221. The murder charged in the [REDACTED] is also supported by the evidence of [REDACTED] of the killings.[1094] [REDACTED] explained that there were quotas to "arrest 10 addicts in one week" though killing addicts was prioritised because it was "more in support of [DELA ROSA's] program" and was being advertised by **DUTERTE** in public.[1095] [REDACTED] also explained that after **DUTERTE** become President there was a system of rewards for killings.[1096]

Incident 43:[1097] On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug users [REDACTED] and [REDACTED] in or around [REDACTED], Manila.[1098]

222. [REDACTED] were killed during a PNP operation.[1099] The [REDACTED] victims had been pre-selected because they were listed on the *barangay* watchlist and there was an [REDACTED] report in relation to them.[1100] [REDACTED] were known drug users.[1101] [REDACTED] and had been [REDACTED] before.[1102]

223. Prior to the incident, [REDACTED] other PNP officers, [REDACTED] to plan the operation.[1103] [REDACTED] the targets of this operation were to be killed because [REDACTED] which "was a sign that somebody was to be killed because that's what they did" and that they "would set up these people to make it look like...they were the ones fighting back".[1104] [REDACTED] and PNP officers [REDACTED] had each been assigned "to do the

[1093] PHL-OTP-00089033-R01 at 0009, 256-258.
[1094] [REDACTED] at 0029, lines 926-929; PNP, PHL-OTP-00248989 at 0071.
[1095] [REDACTED] at 0011-0012, lines 323-343.
[1096] [REDACTED] at 0065, lines 2122-2147.
[1097] Subsequent to the Confirmation Decision, [REDACTED] this Incident 43.
[1098] [REDACTED] at 0011-0043, lines 323-1382, [REDACTED] at 0030-0069, lines 961-2289, [REDACTED] at 0065-0071; [REDACTED] at 0004-0021, lines 82-666, [REDACTED] at 0003-0032, lines 38-1023, [REDACTED] at 0002-0011, lines 25-307; [REDACTED]; PNP, PHL-OTP-00089029, PHL-OTP-00232414, PHL-OTP-00232415, PHL-OTP-00232417, PHL-OTP-00232419, PHL-OTP-00232424, PHL-OTP-00240123, PHL-OTP-00248333, PHL-OTP-00239354; Inquirer, PHL-OTP-00088893; PhilStar, PHL-OTP-00088895; GMA, PHL-OTP-00092756 (Transcript PHL-OTP-00092719; Translation PHL-OTP-00092756).
[1099] [REDACTED] at 0004, 0013, lines 82-88, 386-395, [REDACTED] at 0003-0005, lines 38-118; PNP, PHL-OTP-00232424, PHL-OTP-00248333; Inquirer, PHL-OTP-00088893; PhilStar, PHL-OTP-00088895; GMA, PHL-OTP-00088897.
[1100] [REDACTED] at 0032-0033, lines 1040-1056.
[1101] [REDACTED] at 0004, 0013-0015, lines 82-88, 386-395, 435-463, [REDACTED] at 0003-0005, lines 38-118.
[1102] [REDACTED] at 0013-0014, lines 405-432.
[1103] [REDACTED] at 0030-0031, lines 961-968; PNP, PHL-OTP-00232414. For the [REDACTED], *see* PNP, PHL-OTP-00089029.
[1104] [REDACTED] at 0013, lines 388-399, [REDACTED] at 0030-0031, lines 969-1001.

nanlaban".[1105] [REDACTED] to shoot the victims [REDACTED].[1106] [REDACTED].[1107]

224. The operation took place in or around [REDACTED].[1108] The police searched [REDACTED] there would not be any witnesses.[1109] [REDACTED] was with [REDACTED][1110] [REDACTED] street, when two policemen arrived and [REDACTED].[1111] [REDACTED].[1112]

225. The victims had their faces [REDACTED] and were held by [REDACTED] on either side and were handcuffed behind their back.[1113] [REDACTED] and [REDACTED] were taken into [REDACTED].[1114] The [REDACTED] victims were shot in the chest at close range in quick succession [REDACTED].[1115] [REDACTED] first shot the victim [REDACTED].[1116] The remaining [REDACTED] victims were then shot by [REDACTED] in turn.[1117] [REDACTED] the name of the victim [REDACTED] but identified [REDACTED] in a photograph [REDACTED] of the incident.[1118] After [REDACTED] also shot the victim because he was still breathing.[1119]

226. [REDACTED] a police asset point at [REDACTED] then walk away, after which [REDACTED],[1120] a police officer in civilian clothes, shot and killed [REDACTED] from behind, while [REDACTED].[1121] [REDACTED] three more gunshots,[1122] and later learned that [REDACTED], identified by the media and PNP as [REDACTED], had also been killed.[1123]

[1105] [REDACTED] at 0030-0031, lines 961-968. For the [REDACTED], *see* PNP, PHL-OTP-00232415. For the [REDACTED], *see* PNP, PHL-OTP-00232417. For the [REDACTED], *see* PNP, PHL-OTP-00232419.
[1106] [REDACTED] at 0042, lines 1359-1379.
[1107] [REDACTED] at 0042, lines 1378-1382.
[1108] [REDACTED] at 0016, lines 513-524, [REDACTED] at 0043-0047, lines 1397-1522, [REDACTED]; PNP, PHL-OTP-00248989 at 0065.
[1109] [REDACTED] at 0017, lines 526-535.
[1110] [REDACTED] at 0003, 0018, lines 38-39, 548-550.
[1111] [REDACTED] at 0017, lines 519-526, [REDACTED] at 0003, lines 38-60.
[1112] [REDACTED] at 0003-0004, 0006, 0012, 0020-0024, lines 38-72, 164-170, 355-361, 645-661, 701-763, [REDACTED].
[1113] [REDACTED] at 0031, lines 990-1006; [REDACTED] at 0012, lines 370-375.
[1114] [REDACTED] at 0009-0010, 0012-0013, lines 268-284, 344-349, 359-366, 380-381.
[1115] [REDACTED] at 0019, 0033-0034, lines 601-606, 1063-1076.
[1116] [REDACTED] at 0030, lines 951-963.
[1117] [REDACTED] at 0029, lines 911-929.
[1118] [REDACTED] at 0041-0043, lines 1315-1382, [REDACTED]; PNP, PHL-OTP-00248989 at 0071.
[1119] [REDACTED] at 0026-0027, lines 827-853.
[1120] [REDACTED] at 0041, 0043, lines 1332-1335, 1388-1393; PNP, PHL-OTP-00239354.
[1121] [REDACTED] at 0018-0021, lines 544-666, [REDACTED] at 0004, 0029, 0031-0032, lines 72-92, 941-945, 1006-1023, [REDACTED] at 0002-0004, lines 25-84.
[1122] [REDACTED] at 0013-0014, lines 404-445.
[1123] [REDACTED] at 0010-0011, lines 286-292, 325-334; PNP, PHL-OTP-00232424; Inquirer, PHL-OTP-00088893; PhilStar, PHL-OTP-00088895; GMA, PHL-OTP-00088897 (Transcript PHL-OTP-00092719; Translation PHL-OTP-00092756).

After [REDACTED] had been killed, the [REDACTED] policemen told the [REDACTED] had a gun and had fought back.[1124]

227. Following the incident [REDACTED] on the victims' bodies, and planted guns and fired them from the victims' hands.[1125] [REDACTED] saw a policeman in civilian clothes plant a gun and drugs in [REDACTED] hands.[1126] [REDACTED] also instructed [REDACTED],[1127] and one of the men from his team fired at it with the gun that was planted on the victim.[1128] The PNP incident record form falsely records that all [REDACTED] victims were killed after they drew their guns, fired at officers during a buy-bust operation and that [REDACTED].[1129] [REDACTED] provided a false narrative of the operation.[1130] Following the operation [REDACTED].[1131] [REDACTED] was told that this was blood money and that it was a reward for the killing that comes from the top.[1132] NAPOLCOM dismissed the administrative case against the police officers involved in the incident for "Grave Neglect of Duty" or "Grave Misconduct", on the basis that there was no substantial evidence and citing *inter alia* "the presumption of regularity in the performance of duty".[1133]

[REDACTED], City of Manila, NCR (Incident 22)

228. The attempted murder charged in [REDACTED] was committed by PNP officers from MPD [REDACTED].[1134] This Incident is primarily evidenced by [REDACTED].[1135] [REDACTED] also stated that when **DUTERTE** became President, the community was "very scared" because there were daily "killings one after another" by the police.[1136]

[1124] [REDACTED] at 0006, lines 154-158.
[1125] [REDACTED] at 0021, lines 645-662.
[1126] [REDACTED] at 0004-0005, 0030, lines 95-118, 981-986, [REDACTED] at 0006, lines 141-162.
[1127] [REDACTED] at 0049, lines 1586-1610.
[1128] [REDACTED] at 0022-0025, lines 697-792.
[1129] PNP, PHL-OTP-00232424 at 0001-0003, PHL-OTP-00248333 at 0002-0003.
[1130] [REDACTED] at 0035-0036, lines 1121-1165.
[1131] [REDACTED] at 0060-0064, lines 1965-2090, [REDACTED] at 0037, lines 1177-1184.
[1132] [REDACTED] at 0069, lines 2257-2289.
[1133] PNP, PHL-OTP-00248333 at 0001-0005, PHL-OTP-00240123.
[1134] *See* Annex I.3. *See also* Annex I.2.
[1135] *See below* Incident 22.
[1136] [REDACTED] at 0011, lines 316-342.

Incident 22: On or about the night of [REDACTED] 2016, PNP personnel shot [REDACTED] alleged drug pusher [REDACTED] on or around [REDACTED], Manila, [REDACTED].[1137]

229. On or about [REDACTED] 2016,[1138] at around 12h00, [REDACTED][1139] [REDACTED],[1140] [REDACTED].[1141] [REDACTED].[1142] [REDACTED] police officers who took [REDACTED].[1143] At the station, police officers [REDACTED].[1144] At or around midnight, the police drove [REDACTED] shot [REDACTED] in the chest.[1145] [REDACTED].[1146] [REDACTED].[1147] [REDACTED] plant what he believes were drugs in his pocket and place a gun next to his body.[1148] [REDACTED].[1149] The police reports [REDACTED].[1150]

[1137] [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); [REDACTED] at 0066-0067, paras. 293-294, 296-297, [REDACTED] at 0011; [REDACTED] at 0725-0726, paras. 515-518, [REDACTED]; Regional Trial Court Decision, PHL-OTP-00237904 (Translation PHL-OTP-00247708), PHL-OTP-00073233, PHL-OTP-00073234, PHL-OTP-00247472 at 0055-0056; PNP, PHL-OTP-00236346-R01, PHL-OTP-00073232 (Translation PHL-OTP-00236292), PHL-OTP-0016-5329, PHL-OTP-00073227, PHL-OTP-00073228, PHL-OTP-00073229, PHL-OTP-00073230, PHL-OTP-00073231, PHL-OTP-00073235, PHL-OTP-00073236, PHL-OTP-00073237, PHL-OTP-00073238, PHL-OTP-00073239, PHL-OTP-00073240, PHL-OTP-00073241, PHL-OTP-00073242, PHL-OTP-00073243, PHL-OTP-00073244, PHL-OTP-00073245, PHL-OTP-00073246, PHL-OTP-00073247, PHL-OTP-00073250, PHL-OTP-00073251, PHL-OTP-00073252, PHL-OTP-00073266, PHL-OTP-00073267, PHL-OTP-00076186, PHL-OTP-00073248, PHL-OTP-00073249; GMA, PHL-OTP-00088620 (Transcript PHL-OTP-00090535; Translation PHL-OTP-00090565), PHL-OTP-00088743; Manila Bulletin, PHL-OTP-00088732; Pressreader, PHL-OTP-00088734, PHL-OTP-00088735; Abocado, PHL-OTP-00088739; PhilStar, PHL-OTP-00088745, Al Jazeera, PHL-OTP-0003-0518, PHL-OTP-00092332 (Transcript PHL-OTP-00236175; Translation PHL-OTP-00236222); The Washington Post, PHL-OTP-0003-0524, PHL-OTP-0005-0981; Guardian, PHL-OTP-0003-0545; [REDACTED].

[1138] PNP, PHL-OTP-00236346-R01 at 0001-0002.

[1139] [REDACTED].

[1140] [REDACTED]. *See e.g.* [REDACTED] at 0006, lines 138-158.

[1141] [REDACTED] at 0008, 0014-0016, lines 232-240, 434-484, 513-516, [REDACTED] at 0025, lines 811-820, [REDACTED] at 0005, lines 107-127.

[1142] [REDACTED] at 0016-0017, lines 485-522, [REDACTED] at 0005, lines 117-130; [REDACTED] at 0066, para. 293. *See also* [REDACTED] at 0725, para. 515.

[1143] [REDACTED] at 0017, lines 520-534, [REDACTED] at 0005-0012, lines 103-344.

[1144] [REDACTED] at 0017-0019, lines 536-585, 560-600, [REDACTED] at 0032, 0035, lines 1030-1035, 1154-1165, [REDACTED] at 0006-0008, lines 137-218; [REDACTED] at 0066, para. 294; [REDACTED] at 0726, para. 516.

[1145] [REDACTED] at 0005-0013, 0033-0034, lines 103-384, 1091-1108, [REDACTED] at 0002-0003, 0005, 0007-0008, lines 21-39, 122-127, 181-217, [REDACTED] at 0008-0013, lines 232-245, 301-400. *See also* [REDACTED] at 0726, para. 517.

[1146] [REDACTED] at 0013-0014, lines 378-426, [REDACTED] at 0011-0013, lines 331-383, [REDACTED]. *See also* [REDACTED] at 0726, para. 517.

[1147] [REDACTED] at 0013-0014, lines 381-392, 420-443; [REDACTED] at 0066, para. 296.

[1148] [REDACTED] at 0015-0016, lines 453-488, [REDACTED] at 0015-0016, lines 452-492, [REDACTED] at 0015-0016, lines 474-491; PNP, PHL-OTP-00073235, PHL-OTP-00073236.

[1149] [REDACTED] at 0015, 0018-0020, lines 475-478, 571-583, 586-641, [REDACTED] at 0016, lines 487-503; GMA, PHL-OTP-00088620 (Transcript PHL-OTP-00090535; Translation PHL-OTP-00090565 at 0002-0003); Al Jazeera, PHL-OTP-0003-0518 at 0001-0002; PNP, PHL-OTP-00073235, PHL-OTP-00073236; [REDACTED] at 0066-0067, para. 297; [REDACTED] at 0726, para. 518.

[1150] *See* PNP, PHL-OTP-0016-5329 at 0002, PHL-OTP-00073230, PHL-OTP-00073231, PHL-OTP-00073237, PHL-OTP-00073238, PHL-OTP-00073251, PHL-OTP-00073252, PHL-OTP-00073266, PHL-OTP-00073267.

b) Quezon City, NCR (Incidents 21, 55)

230. Quezon City is within the area of responsibility of the QCPD.[1151] The murders and attempted murder charged in Quezon City were by members of the PNP based at [REDACTED].[1152] As noted above, Co-Perpetrator DELA ROSA ordered [REDACTED] be transferred to [REDACTED] at the commencement of **DUTERTE**'s Presidency.[1153] This included [REDACTED].[1154] [REDACTED] became infamous for the number of killings committed by its PNP officers during the War on Drugs[1155] [REDACTED] 2017[1156] at an awards ceremony attended by Co-Perpetrators DELA ROSA and ALBAYALDE.[1157]

231. [REDACTED], recalled a meeting shortly after **DUTERTE** had been elected, during which [REDACTED] "to do what the [P]resident said. We have to eliminate all the drug suspects and the drug dealer[s]."[1158] [REDACTED] at first thought this meant to apprehend drug personalities, but [REDACTED].[1159] [REDACTED] explained that these orders had come from the "higher office […] like the District Director and the Chief PNP."[1160] [REDACTED] to **DUTERTE**—two killings per week.[1161]

232. [REDACTED] in Incident 21 are primarily evidenced by [REDACTED].[1162] Incident 55 is primarily evidenced [REDACTED].

Incident 21: On or about [REDACTED], PNP personnel shot and killed alleged drug personalities [REDACTED], [REDACTED], [REDACTED][1163] and [REDACTED] in or around [REDACTED], Quezon City. PNP personnel shot [REDACTED].[1164]

[1151] *See* Annex I.7: Area of Responsibility of Police Station 6 within the Quezon City Police District (QCPD).
[1152] *See* Annex I.6.
[1153] *See above* paras. 24 and 184.
[1154] PNP, PHL-OTP-00000894 at 0021 ([REDACTED]), 0028 ([REDACTED]), PHL-OTP-00000887.
[1155] Reuters, PHL-OTP-0003-0309.
[1156] PHL-OTP-00019314 (Transcript PHL-OTP-00092383; Translation PHL-OTP-00092382 at 0006, lines 193-196).
[1157] PHL-OTP-00019314 (Transcript PHL-OTP-00092383; Translation PHL-OTP-00092382 at 0001).
[1158] [REDACTED] at 0002-0003, lines 17-46
[1159] [REDACTED] at 0002-0003, lines 17-46
[1160] [REDACTED] at 0004, lines 81-86.
[1161] [REDACTED] at 0003, lines 44-86.
[1162] *See below* Incident 21.
[1163] Alternative spelling: [REDACTED].
[1164] [REDACTED] at 0016-0020, lines 481-510, 517-536, 540-548, 565-571, 574-578, 580-602, 606-622, 624-629, 631-634, 640-651, [REDACTED] at 0027, lines 869-870, [REDACTED] (Translation [REDACTED] at 0001, paras. 1, 4-7), [REDACTED] at 1927-1928, 1930, paras. 11-15, 17, 21-23, [REDACTED]; Office of the Ombudsman, PHL-OTP-0004-2457-R02 at 2459, 2462-2463, paras. 3, 12-14, 16, PHL-OTP-0001-2046-R02 at 2051-2055, paras. 12-17, 20, 22-25; GoPHL, PHL-OTP-0001-1938 (Translation PHL-OTP-00248786 at 0001-0002, paras. 2, 4-5, 9, 13), PHL-OTP-0001-1949 at 1950-1951, paras. 8-9, PHL-OTP-0001-1958-R01 at 1958-1960, paras. 4-6, 8, PHL-OTP-0001-2012 at 2012, PHL-OTP-0004-

233. On or about [REDACTED] 2016,[1165] [REDACTED] and [REDACTED] were [REDACTED], when police officers from [REDACTED].[1166] The police aimed guns [REDACTED] and handcuffed them.[1167] [REDACTED] handcuffed.[1168] [REDACTED], the police [REDACTED].[1169] The police forced [REDACTED] and [REDACTED].[1170] Police officer [REDACTED][1171] shot [REDACTED] in the chest. [REDACTED].[1172] [REDACTED] shot and killed [REDACTED].[1173] [REDACTED] shots and crying as the police shot and killed

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2377, PHL-OTP-00247432; GoPHL, Office of Civil Registrar, PHL-OTP-0001-2004 at 0002, PHL-OTP-0001-2006 at 2006-2007, PHL-OTP-0001-2008 at 2008-2009, PHL-OTP-0001-2230 at 2230-2231; PNP, PHL-OTP-0001-2224, PHL-OTP-0001-2228 at 2229, PHL-OTP-0001-2232, PHL-OTP-0001-2236, PHL-OTP-0001-2104 at 2104, PHL-OTP-0004-2517 at 0002, PHL-OTP-00236362-R01 at 0001-0002, 0004, PHL-OTP-00236364-R01 at 0001-0002, PHL-OTP-00239329-R01 at 0002; PHL-OTP-00000145 at 0171-0172, rows 1159-1162; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002-0003, lines 4-6, 9-12, 14-15, 20-22, 28-39, 41-44, 50-53, 59-61); AI, PHL-OTP-00236450 at 0002-0004, PHL-OTP-0005-1057 at 1084, PHL-OTP-00247431; GMA, PHL-OTP-00088883 at 0001, PHL-OTP-00088884 (Transcript PHL-OTP-00090760l; Translation PHL-OTP-00091679 at 0002, lines 6-7, 10-11); ABS-CBN, PHL-OTP-0004-2445 (Transcript PHL-OTP-00250311; Translation PHL-OTP-00247809 at 0002, lines 5-10, 15-16); Frontline Pilipinas, PHL-OTP-00088886 (Transcript PHL-OTP-00091698; Translation PHL-OTP-00091678 at 0002, lines 10-11); New York Times, PHL-OTP-0003-0521 at 0001-0002; Rappler, PHL-OTP-0003-2281 at 0002-0003, PHL-OTP-0003-2282 at 0002, PHL-OTP-0003-2287 at 0002.

[1165] [REDACTED] at 0016, lines 481-487, [REDACTED] (Translation [REDACTED] at 0001, para. 1); PNP, PHL-OTP-0001-2104 at 2104, PHL-OTP-00236362-R01 at 0001-0002.

[1166] [REDACTED] at 0016, lines 481-510, [REDACTED] (Translation [REDACTED] at 0001, para. 1), [REDACTED] at 1927, paras. 11-12; Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2051, paras. 12-13, PHL-OTP-0004-2457-R02 at 2462, paras. 12-14; PNP, PHL-OTP-0004-2517 at 0002; GoPHL, PHL-OTP-0001-1938 (Translation PHL-OTP-00248786 at 0001, para. 2), PHL-OTP-0001-1958-R01 at 1958-1959, paras. 4-5; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 4-6, 9-12, 14-15); AI, PHL-OTP-0005-1057 at 1084, PHL-OTP-00236450 at 0002; Rappler, PHL-OTP-0003-2281 at 0002.

[1167] [REDACTED] at 0017, lines 517-536, [REDACTED] (Translation [REDACTED] at 0001, para. 2), [REDACTED] at 1927-1928, paras. 13-14; Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2051-2052, paras. 14-15; GoPHL, PHL-OTP-0001-1958-R01 at 1959, paras. 5-6; AI, PHL-OTP-00236450 at 0002; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 11-12, 15); Rappler, PHL-OTP-0003-2281 at 0002.

[1168] [REDACTED] at 0017-0018, lines 540-548, [REDACTED] at 1928, para. 15, Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2052, para. 16, PHL-OTP-0004-2457-R02 at 2463, para. 16; AI, PHL-OTP-00236450 at 0002; GoPHL, PHL-OTP-0001-1958-R01 at 1959, para. 6; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 20-22); Rappler, PHL-OTP-0003-2281 at 0002.

[1169] [REDACTED] at 0018, lines 565-571, [REDACTED] (Translation [REDACTED] at 0001, para. 4), [REDACTED] at 1928, para. 17; Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2052-2054, paras. 17, 20, 22-23; AI, PHL-OTP-00236450 at 0002; GoPHL, PHL-OTP-0001-1938 (Translation PHL-OTP-00248786 at 0001, paras. 4-5), PHL-OTP-0001-1958-R01 at 1960, para. 6; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 28-30).

[1170] [REDACTED] at 0018, lines 574-578, [REDACTED] (Translation [REDACTED] at 0001, para. 4); Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 30-31).

[1171] PNP records show that [REDACTED]. *See* PNP, PHL-OTP-00239329-R01 at 0002.

[1172] [REDACTED] at 0019, lines 580-602, [REDACTED] at 0027, lines 869-870, [REDACTED] (Translation [REDACTED] at 0001, paras. 5-6), [REDACTED] at 1930, para. 21; GoPHL, Department of Health, PHL-OTP-0001-2012 at 2012, PHL-OTP-0004-2377, PHL-OTP-00247432; AI, PHL-OTP-00236450 at 0003-0004; Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2054, para. 24; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002-0003, lines 32-39, 41-44); PNP IAS, PHL-OTP-00000145 at 0171, row 1159; GMA, PHL-OTP-00088883, PHL-OTP-00088884 (Transcript PHL-OTP-00090760; Translation PHL-OTP-00091679 at 0002, lines 6-7, 10-11); New York Times, PHL-OTP-0003-0521 at 0001-0002; Rappler, PHL-OTP-0003-2281 at 0002-0003; Frontline Pilipinas, PHL-OTP-00088886 (Transcript PHL-OTP-00091698; Translation PHL-OTP-00091678 at 0002, line 10).

[1173] [REDACTED] at 0019-0020, lines 606-622, [REDACTED] at 1930, para. 21; AI, PHL-OTP-00236450 at 0003; Office of the Ombudsman, PHL-OTP-0001-2046-R02 at 2054-2055, para. 24; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0002, lines 37-39); PNP, PHL-OTP-0001-2228 at 2229; GoPHL, Office

[REDACTED] and [REDACTED].[1174] The police shooter, [REDACTED] they had done a *nanlaban* (that the victims had fought back) [REDACTED].[1175] [REDACTED] saw the dead bodies of [REDACTED] and [REDACTED].[1176] Subsequent reporting reveals that [REDACTED] victims were targeted because of their alleged involvement in drug-related activities.[1177]

Incident 55: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug user [REDACTED], Quezon City.[1178]

234. [REDACTED] was on [REDACTED] drug watchlist.[1179] [REDACTED], when four police in civilian clothing from [REDACTED].[1180] The police ordered the [REDACTED],[1181] but [REDACTED].[1182] [REDACTED] was face down [REDACTED], and then a police officer

of Civil Registrar, PHL-OTP-0001-2230 at 2230-2231; Rappler, PHL-OTP-0003-2281 at 0002, PHL-OTP-0003-2287 at 0002.

[1174] [REDACTED] at 0020, lines 624-629; AI, PHL-OTP-00236450 at 0003; GoPHL, Office of Civil Registrar, PHL-OTP-0001-2004 at 0002, PHL-OTP-0001-2006 at 2006-2007, PHL-OTP-0001-2008 at 2008-2009; PNP, PHL-OTP-0001-2236, PHL-OTP-0001-2232, PHL-OTP-0001-2224, PHL-OTP-00000145 at 0171-0172, rows 1160-1162. *See also* [REDACTED] at 1930, para. 22; Office of the Ombudsman PHL-OTP-0001-2046-R02 at 2055, para. 25; GoPHL, PHL-OTP-0001-1938 (Translation PHL-OTP-00248786 at 0002, para. 9), PHL-OTP-0001-1949 at 1950-1951, para. 8, PHL-OTP-0001-1958-R01 at 1960, para. 8.

[1175] [REDACTED] at 0020, lines 631-634; AI, PHL-OTP-00236450 at 0003; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0003, lines 50-53); New York Times, PHL-OTP-0003-0521 at 0002; Rappler, PHL-OTP-0003-2282 at 0002, PHL-OTP-0003-2287 at 0002.

[1176] [REDACTED] at 0020, lines 640-651, [REDACTED] (Translation [REDACTED] at 0001, para. 7), [REDACTED] at 1930, para. 23; AI, PHL-OTP-00236450 at 0003; GoPHL, PHL-OTP-0001-1938 (Translation PHL-OTP-00248786 at 0002, para. 13), PHL-OTP-0001-1949 at 1951, para. 9; Vera Files, PHL-OTP-00237893 (Transcript PHL-OTP-00239323; Translation PHL-OTP-00239710 at 0003, lines 59-61); Frontline Pilipinas, PHL-OTP-00088886 (Transcript PHL-OTP-00091698; Translation PHL-OTP-00091678 at 0002, lines 10-11).

[1177] Office of the Ombudsman, PHL-OTP-0004-2457-R02 at 2459, para. 3; PNP, PHL-OTP-00236364-R01 at 0001-0002, PHL-OTP-00236362-R01 at 0002, 0004; AI, PHL-OTP-0005-1057 at 1084; GMA, PHL-OTP-00088883 at 0001; ABS-CBN, PHL-OTP-0004-2445 (Transcript PHL-OTP-00250311; Translation PHL-OTP-00247809 at 0002, lines 5-10, 1516).

[1178] [REDACTED] at 0024-0043, lines 777-1418, [REDACTED] at 0019-0020, 0023-0026, 0038-0046, lines 586-628, 739-1136, 1223-1509, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 2-26); [REDACTED] at 0010-0011, 0015, 0017-0019, 0022, lines 302-307, 469-471, 547-575, 597-615, 701-709; [REDACTED], PHL-OTP-00012818; PNP, PHL-OTP-00017398, PHL-OTP-00239683, PHL-OTP-00240237 at 0001-0007, PHL-OTP-00017384, PHL-OTP-00240150; GoPHL, Office of the Civil Registrar General, PHL-OTP-00248936, PHL-OTP-00248937, PHL-OTP-00248938-R01; [REDACTED]; HRW, PHL-OTP-0003-1218 at 1238; Guardian, PHL-OTP-0003-0232 at 0239-0240; Al Jazeera, PHL-OTP-00092332 (Transcript PHL-OTP-00236175; Translation PHL-OTP-00236222 at 0004, lines 98-99); Rappler, PHL-OTP-00239221 at 0003-0005.

[1179] PNP, PHL-OTP-00017398, PHL-OTP-00239683. *See also* Rappler, PHL-OTP-00239221 at 0003-0005.

[1180] [REDACTED] at 0040, lines 1302-1316, [REDACTED] at 0019-0020, 0023, 0038, lines 586-628, 735-738, 1223-1229, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 2-11); Al Jazeera, PHL-OTP-00092332 (Transcript PHL-OTP-00236175; Translation PHL-OTP-00236222 at 0004, lines 95-99). *See also* Guardian, PHL-OTP-0003-0232 at 0239-0240.

[1181] [REDACTED] at 0024, lines 777-784.

[1182] [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 11-12).

pointed a gun at his head.[1183] Another police officer forced [REDACTED].[1184] A police officer shot [REDACTED] multiple times in the head and chest, and killed him.[1185] The police planted *shabu*, money and a gun [REDACTED],[1186] and later falsely claimed that [REDACTED] had been killed in self-defence during a buy-bust operation.[1187]

235. NAPOLCOM dismissed a case against the police who conducted the operation for "lack of substantial evidence" and cited the "presumption of regularity in the performance of official duties".[1188] [REDACTED].[1189] At the time of this incident, [REDACTED].[1190]

c) Caloocan City, NCR (Incident 30)

236. Caloocan City is within the area of responsibility of the Northern Police District ("NPD").[1191] The murder charged in Caloocan City was committed by members of the PCP-7 of Caloocan City PS ("PCP-7"), part of the NPD.[1192] [REDACTED], explained that each sub-station in Caloocan City had quotas for killings, and if commanders did not meet their quotas, they would be dismissed or relieved from their posts.[1193] [REDACTED] further noted that the quota system generated competition with other police stations, which would compete to determine which station could have the most killings in one night.[1194] [REDACTED], also recalled the quotas in Caloocan, describing that there was an expectation [REDACTED] for "an accomplishment wherein somebody had to die" in every operation.[1195] Finally, as noted

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[1183] [REDACTED] at 0025, 0040, lines 788-792, 801, 1302-1325; [REDACTED] at 0024-0035, lines 775-1136; [REDACTED].
[1184] [REDACTED] at 0025-0026, lines 794-821; [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 13-15).
[1185] [REDACTED] at 0025-0026, 0041, lines 804-821, 1352-1356, [REDACTED] at 0023-0024, lines 739-821, [REDACTED] (Transcript [REDACTED]; Translation PHL-OTP-00092940 at 0002, lines 15, 22); [REDACTED] at 0010-0011, 0015, 0017-0019, 0022, lines 302-307, 469-471, 547-575, 597-615, 701-709; [REDACTED], PHL-OTP-00012818; Office of the Civil Registrar General, PHL-OTP-00248936, PHL-OTP-00248937; PNP, PHL-OTP-00240237 at 0001-0007, PHL-OTP-00017384; [REDACTED]. *See also* HRW, PHL-OTP-0003-1218 at 1238.
[1186] [REDACTED] at 0026-0027, 0042-0043, lines 847-854, 1384-1404, [REDACTED] at 0042-0044, lines 1370-1397; [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 24-26).
[1187] PNP, PHL-OTP-00240237, PHL-OTP-00239683, PHL-OTP-00240150.
[1188] PNP, PHL-OTP-00240150 at 0003-0004.
[1189] [REDACTED] at 0028, 0043, lines 887-920, 1412-1418; [REDACTED], PHL-OTP-00012818; Office of the Civil Registrar General, PHL-OTP-00248938-R01, PHL-OTP-00248936, PHL-OTP-00248937; Al Jazeera, PHL-OTP-00092332 (Transcript PHL-OTP-00236175; Translation PHL-OTP-00236222 at 0004, lines 86-90).
[1190] *See above* paras. 24, 184, 230.
[1191] *See* Annex I.5: Area of Responsibility of the Caloocan City Police Station (CPS) within the Northern Police District (NPD).
[1192] *See* Annex I.4: PNP personnel relevant to charged incidents within the Northern Police District (NPD).
[1193] [REDACTED] at 0022, lines 717-720.
[1194] [REDACTED] at 0020, lines 648-671.
[1195] [REDACTED] at 0004-0006, 0029-0030, lines 84-161, 972-980.

above, [REDACTED] recalled watchlists in Caloocan City that had to include two percent of the population.[1196]

237. The incident charged in Caloocan City (Incident 30) is primarily evidenced by: [REDACTED];[1197] [REDACTED];[1198] [REDACTED] of the incident;[1199] and [REDACTED] of the victim.[1200]

Incident 30: On or about 16 August 2017, PNP personnel shot and killed alleged drug user Kian Loyd DELOS SANTOS y DOGILLO in or around *Barangay* 160, Caloocan City. The victim was a male child, aged 17 years old.[1201]

238. [REDACTED][1202] [REDACTED][1203] [REDACTED].[1204] There was an expectation [REDACTED] that every operation should result in "an accomplishment wherein somebody had to die"[1205] and police received monetary awards for killings.[1206] [REDACTED].[1207]

239. On 16 August 2017, [REDACTED] a Kian DELOS SANTOS.[1208] After [REDACTED] the same day, a group of approximately [REDACTED] police [REDACTED] conduct a OTBT operation.[1209] [REDACTED] in *Barangay* 160, a police officer arrested DELOS SANTOS

[1196] [REDACTED] at 0018, 0020, lines 635-640, 684-714.
[1197] *See below* Incident 30.
[1198] *See below* Incident 30.
[1199] [REDACTED] at 0027, line 898.
[1200] [REDACTED] at 0051-0053, paras 143-146.
[1201] CCTV, PHL-OTP-00017642 (Transcript PHL-OTP-00250441; Translation PHL-OTP-00250450); [REDACTED] at 0051-0053, paras. 143-146; [REDACTED] at 0720, paras. 488-498, [REDACTED] at 0001-0055; [REDACTED]; [REDACTED] at 0011-0030, lines 310-986, [REDACTED] at 0002-0030, lines 31-975, [REDACTED] at 0002-0033, lines 31-1075; [REDACTED] at 0023-0041, lines 750-1371, [REDACTED] at 0002-0020, lines 20-634; [REDACTED], PHL-OTP-0003-3109 (Translation PHL-OTP-00091734); [REDACTED], PHL-OTP-00240626; [REDACTED], PHL-OTP-00240342 (Translation PHL-OTP-00249273); PNP, PHL-OTP-00017594, PHL-OTP-00092079, PHL-OTP-00017581, PHL-OTP-00017582, PHL-OTP-00017584, PHL-OTP-00017585, PHL-OTP-00017586, PHL-OTP-00017587, PHL-OTP-00017588, PHL-OTP-00017589, PHL-OTP-00013448, PHL-OTP-00013449, PHL-OTP-00017592, PHL-OTP-00017593, PHL-OTP-00236318 at 0241-0270; Office of the Civil Registrar General, PHL-OTP-00017583; GMA, PHL-OTP-00095697 (Transcript PHL-OTP-00249337; Translation PHL-OTP-00248790 at 0003-0006, lines 2-143) Rappler, PHL-OTP-0003-1478.
[1202] [REDACTED] continued to refer to [REDACTED] OTP interview, [REDACTED] by the date of this incident, as explained above. *See* [REDACTED] at 0006-0007, lines 171-178, 199-201, [REDACTED] at 0002, lines 25-27.
[1203] PNP, PHL-OTP-00240288 at 0001-0002.
[1204] [REDACTED] at 0002-0003, 0021-0022, lines 25-48, 667-700, [REDACTED] at 0007, lines 176-181.
[1205] [REDACTED] at 0004-0006, 0029-0030, lines 84-161, 972-980. *See also* [REDACTED] at 0014-0015, lines 444-467, [REDACTED] at 0002-0003, lines 25-48.
[1206] [REDACTED] at 0012, 0013 lines 343-367, 407-410
[1207] [REDACTED] at 0017-0018, lines 541-600.
[1208] [REDACTED] at 0014-0016, lines 427-507.
[1209] [REDACTED] at 0017-0018, lines 521-553, [REDACTED] at 0015, lines 477-482; [REDACTED] at 0032, lines 1058-1060.

[REDACTED].[1210] [REDACTED][1211] [REDACTED], which was captured on CCTV.[1212] DELOS SANTOS was wearing boxer shorts and a blue T-shirt,[1213] [REDACTED].[1214] Once [REDACTED].[1215] [REDACTED] DELOS SANTOS "doesn't have any gun on him".[1216] [REDACTED].[1217] [REDACTED].[1218]

240. [REDACTED] DELOS SANTOS in the head and body multiple times [REDACTED].[1219] [REDACTED][1220] and that "it was the time of PRRD, and it was […] his program of war on drugs, [REDACTED].[1221] [REDACTED].[1222] [REDACTED] at the crime scene, [REDACTED][1223] [REDACTED] there had been [REDACTED] during a OTBT operation.[1224] [REDACTED] and saw DELOS SANTOS's body, "like an infant that was all curled up".[1225]

241. The police initially claimed that they shot in self-defence after DELOS SANTOS noticed them approaching and opened fire.[1226] However, [REDACTED].[1227] [REDACTED], [REDACTED].[1228] [REDACTED].[1229] After widespread public backlash,[1230] [REDACTED] of anti-illegal drug campaign-related killings.[1231] The campaign was temporarily suspended

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[1210] [REDACTED] at 0017-0019, lines 542-591.
[1211] PNP, PHL-OTP-00240289.
[1212] CCTV, PHL-OTP-00017642 (Transcript PHL-OTP-00250441; Translation PHL-OTP-00250450). *See* [REDACTED] at 0016, 0019-0020, lines 513-520, lines 609-641; [REDACTED] at 0034-0036, lines 1122-1193; [REDACTED] at 0003-0010, lines 36-286.
[1213] [REDACTED] at 0019, line 597; [REDACTED] at 0010, lines 312-314.
[1214] [REDACTED] at 0020-0021, lines 649-673; [REDACTED] at 0034-0035, lines 1138-1181, [REDACTED] at 0003-0004, lines 67-80.
[1215] [REDACTED] at 0036, lines 1190-1215.
[1216] [REDACTED] at 0020-0021, lines 622-687.
[1217] [REDACTED] at 0020-0021, lines 622-687, [REDACTED] at 0003-0004, lines 38-103.
[1218] [REDACTED] at 0010, lines 300-303; [REDACTED], PHL-OTP-0003-3109 at 3116, 3133 (Translation PHL-OTP-00091734 at 0008, 0024).
[1219] [REDACTED] at 0051-0052, paras. 143-146; [REDACTED] at 0032-0033, lines 1049-1091; [REDACTED] at 0021-0023, 0025, lines 689-726,811-825; [REDACTED] at 0010, lines 304-306; PNP, PHL-OTP-00236318 at 0250, 0270, PHL-OTP-00017594, paras. 1, 4.
[1220] [REDACTED] at 0021, lines 661-662.
[1221] [REDACTED] at 0029, lines 945-949.
[1222] [REDACTED] at 0026, 0028, lines 828, 898, [REDACTED] at 0007, lines 194-204. *See also* [REDACTED] at 0039-0040, lines 1297-1340, [REDACTED] at 0011, lines 310-314, 0017, lines 531-539, 0019, lines 587-600.
[1223] For the [REDACTED], *see* PNP, PHL-OTP-00000225.
[1224] [REDACTED] at 0028, lines 906-907, [REDACTED] at 0003, lines 62-64. *See also* PNP, PHL-OTP-00000225 at 0003.
[1225] [REDACTED] at 0027-0028, lines 898-911.
[1226] *See e.g.* PNP, PHL-OTP-00017594, para. 4, PHL-OTP-00013448, para. 2, PHL-OTP-00013449.
[1227] [REDACTED] at 0022, 0038, lines 703-719, 1244-1251.
[1228] [REDACTED] at 0022-0025, 0037-0040, lines 723-824, 1232-1329.
[1229] [REDACTED] at 0024-0025, 0039, lines 794-800, 1307-1310, [REDACTED] at 0006-0010, lines 155-281. *See also* Guardian, PHL-OTP-0003-0520.
[1230] [REDACTED] at 0019, 0023, paras. 101, 121; [REDACTED], PHL-OTP-00240653 at 0004.
[1231] [REDACTED], PHL-OTP-0003-3109 (Translation PHL-OTP-00091734); AI, PHL-OTP-0003-1004 at 1035.

following overwhelming public pressure which **DUTERTE** bemoaned as emanating from the "bleeding hearts and the media".[1232]

242. [REDACTED] the authorities' response was anomalous. [REDACTED]. If it weren't for that, Kian would have been just another data or another part of the data of people who were killed in the War on Drugs, and then it would have been just that, that would have been the end of that".[1233] [REDACTED].[1234] Although [REDACTED] in the incident,[1235] [REDACTED].[1236]

243. DELOS SANTOS was a child when he died.[1237] The PNP's false narrative about him shooting at police [REDACTED] over his death.[1238] [REDACTED].[1239] [REDACTED].[1240]

d) [REDACTED], NCR (Incidents 50, 51, 52, 54)

244. [REDACTED].[1241] The murders charged [REDACTED] were committed by members of the [REDACTED].[1242] [REDACTED], would convey "orders to liquidate" to SAID operatives.[1243] [REDACTED], was expected to kill [REDACTED] individuals per month.[1244]

Incident 50: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher [REDACTED] on or around [REDACTED].[1245]

245. [REDACTED] was listed as a drug pusher on [REDACTED] "Illegal drug personalities'

[1232] *See above* para. 90.
[1233] [REDACTED] at 0007, lines 204-207.
[1234] [REDACTED] at 0015, 0032, lines 457-462, 1042-1045. *See also* [REDACTED] at 0002-0017, lines 19-533.
[1235] [REDACTED] at 0002-0003, lines 24-64.
[1236] [REDACTED] at 0007, line 196.
[1237] Office of the Civil Registrar General, PHL-OTP-00017583.
[1238] [REDACTED] at 0021, lines 684-695.
[1239] [REDACTED] at 0013-0014, lines 407-420, [REDACTED] at 0012, lines 354-371.
[1240] [REDACTED] at 0010, lines 282-297.
[1241] *See* Annex I.9: Area of Responsibility of [REDACTED].
[1242] *See below* Incidents 50, 51, 52 and 54. *See also* Annex I.8.
[1243] [REDACTED] at 0021, lines 667-669.
[1244] [REDACTED] at 0021, lines 667-674.
[1245] [REDACTED] at 0017-0018, 0028-0029, lines 546-573, 897-951, [REDACTED] at 0010-0028, lines 299-927, [REDACTED] at 0004-0009, lines 97-266, [REDACTED] at 0003-0024, lines 38-762, [REDACTED] at 0003-0007, lines 42-182; PNP, PHL-OTP-00236374, PHL-OTP-00248990 at 0003-0039, PHL-OTP-00078819, PHL-OTP-00078822, PHL-OTP-00078823, PHL-OTP-00078826, PHL-OTP-00078827, PHL-OTP-00078828, PHL-OTP-00236373, PHL-OTP-00078830, PHL-OTP-00078831, PHL-OTP-00078832, PHL-OTP-00078833, PHL-OTP-00078835 (Translation PHL-OTP-00248768), PHL-OTP-00078836 (Translation PHL-OTP-00248767), PHL-OTP-00078837, PHL-OTP-00078838, PHL-OTP-00078839, PHL-OTP-00078840, PHL-OTP-00078841, PHL-OTP-00078842, PHL-OTP-00078843, PHL-OTP-00078847, PHL-OTP-00078848, PHL-OTP-00078849, PHL-OTP-00078856 (Translation PHL-OTP-00248772), PHL-OTP-00078857, PHL-OTP-00078858, PHL-OTP-00078859, PHL-OTP-00079035, PHL-OTP-00078837, PHL-OTP-00000145 at 0125, row 254; Tempo online, PHL-OTP-00235859 (Translation PHL-OTP-00248945); Philippine Daily Inquirer, PHL-OTP-00092572 at 0004; Inquirer, PHL-OTP-0001-2369 at 0114); [REDACTED]; [REDACTED] at 0024, para. 84.

Watchlist".[1246]

246. [REDACTED] personnel tasked [REDACTED] assets, [REDACTED].[1247] After the assets had confirmed that [REDACTED] personnel, including [REDACTED], went towards the location of the [REDACTED] house. [REDACTED] the assets then left the house and [REDACTED].[1248] This was meant to constitute the [REDACTED] personnel, [REDACTED].[1249] However, after having crossed paths with PANES and indicating that [REDACTED], the asset [REDACTED], and [REDACTED].[1250] [REDACTED][1251] and shot at [REDACTED], hitting him at least once, and again when [REDACTED] fell over.[1252] [REDACTED] did not pose a risk to [REDACTED] at the time.[1253] [REDACTED] died from multiple gunshot wounds.[1254] [REDACTED].[1255] [REDACTED] personnel used such [REDACTED] to scare people and to shift the blame for killings to groups other than the police.[1256] After [REDACTED] had been informed about [REDACTED] death, he paid a reward to the assets[1257] and later also paid the [REDACTED] operatives around [REDACTED] pesos each.[1258] PNP reports falsely describe the incident as a killing perpetrated by unidentified assailant(s).[1259] The media also reported this incident as a killing by unidentified assailants.[1260]

Incident 51: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug

[1246] [REDACTED] at 0020-0021, lines 647-659, [REDACTED] at 0013, lines 399-404; PNP, PHL-OTP-00078830, PHL-OTP-00078831, PHL-OTP-00078832, PHL-OTP-00078848.
[1247] [REDACTED] at 0012-0015, lines 354-363, 371-415.
[1248] [REDACTED] at 0013-0014, 0022-0024, lines 392-442, 710-714, 739-761.
[1249] [REDACTED] at 0012-0015, lines 371-415, [REDACTED] at 0003-0005, lines 38-131, [REDACTED].
[1250] [REDACTED] at 0013-0015, 0023-0024, lines 392-465, 739-768.
[1251] [REDACTED] at 0018, lines 560-570, [REDACTED] at 0010, 0014-0016, 0021-0022, lines 304-306, 417-488, 660-706, [REDACTED] at 0005-0007, lines 119-203, [REDACTED]; PNP, PHL-OTP-00078822, PHL-OTP-00078823; Tempo online, PHL-OTP-00235859.
[1252] [REDACTED] at 0014-0016, 0021-0022, 0026-0028, lines 417-488, 660-706, 840-877, 910-919.
[1253] [REDACTED] at 0023-0024, lines 741-762.
[1254] PNP, PHL-OTP-00248990 at 0012, 0014-0018, PHL-OTP-00078837.
[1255] [REDACTED] at 0010, 0013, 0016, 0022-0024, 0028, lines 299-303, 403-404, 499-507, 715-737, 769-784, 895-898, [REDACTED] at 0006, lines 144-147, [REDACTED] at 0008, 0011, lines 216-233, 320-334; PNP, PHL-OTP-00248990 at 0003-0009, 0011, 0013, PHL-OTP-00078830, PHL-OTP-00078831, PHL-OTP-00078832, PHL-OTP-00078847, PHL-OTP-00078856 (Translation PHL-OTP-00248772), PHL-OTP-00078858; Tempo online, PHL-OTP-00235859; Inquirer, PHL-OTP-00092572 at 0004, PHL-OTP-0001-2369 at 0114. On the use of [REDACTED], *see also* [REDACTED], PHL-OTP-00250473-R01 at 0024, para. 84.
[1256] [REDACTED] at 0024, lines 769-784, [REDACTED] at 0028-0029, lines 897-951.
[1257] [REDACTED] at 0016-0018, 0028, lines 513-560, 899-909.
[1258] [REDACTED] at 0017-0020, lines 524-526, 583-633.
[1259] PNP, PHL-OTP-00248990 at 0037, PHL-OTP-00078826, PHL-OTP-00078832, PHL-OTP-00078333, PHL-OTP-00078839, PHL-OTP-00236373.
[1260] PNP, PHL-OTP-00000145 at 0125, row 254.

pusher [REDACTED] on or around [REDACTED]. [1261]

247. [REDACTED] was listed as alleged drug pusher whose residence was used as a [REDACTED] on [REDACTED] "Illegal drug personalities' Watchlist".[1262]

248. At around 00h00, [REDACTED] personnel were informed by their asset that [REDACTED].[1263] [REDACTED], all wearing civilian clothes, rapidly left for [REDACTED] and on arrival, [REDACTED].[1264] They found [REDACTED] pointed a gun at [REDACTED] head and asked him if he was [REDACTED], to which he responded [REDACTED].[1265] [REDACTED] responded [REDACTED] and then shot him in the head at close range and killed him.[1266] [REDACTED] personnel reported the operation to [REDACTED] and the "neutralization" of the target to [REDACTED].[1267]

249. [REDACTED] paid about [REDACTED] pesos to each operative who participated in [REDACTED] killing.[1268] When **DUTERTE** took office [REDACTED] that the killings were the prime focus of their operations.[1269] PNP reports falsely describe the incident as a killing by unidentified assailants,[1270] as did the media.[1271]

[1261] [REDACTED] at 0016-0017, 0030-0031, lines 493-532, 982-993, [REDACTED] at 0021-0045, lines 670-1487, [REDACTED] at 0013, lines 391-405; PNP, PHL-OTP-00236397, PHL-OTP-00078821, PHL-OTP-00079017, PHL-OTP-00079018, PHL-OTP-00079019 (Translation PHL-OTP-00248819), PHL-OTP-00079020 (Translation PHL-OTP-00248820), PHL-OTP-00079021, PHL-OTP-00079023, PHL-OTP-00079026, PHL-OTP-00079027, PHL-OTP-00079029, PHL-OTP-00079030, PHL-OTP-00079032, PHL-OTP-00079033, PHL-OTP-00079034, PHL-OTP-00079036, PHL-OTP-00079037, PHL-OTP-00079038, PHL-OTP-00079039 (Translation PHL-OTP-00248821), PHL-OTP-00079040 (Translation PHL-OTP-00248822), PHL-OTP-00079045, PHL-OTP-00079046, PHL-OTP-00079047, PHL-OTP-00079048, PHL-OTP-00079049, PHL-OTP-00079051, PHL-OTP-00079052, PHL-OTP-00079053, PHL-OTP-00079054, PHL-OTP-00079055, PHL-OTP-00000145 at 0140, row [REDACTED]; Tempo online, PHL-OTP-00248801; [REDACTED].

[1262] [REDACTED] at 0016, 0030-0031, lines 493-514, 982-993, [REDACTED] at 0022, 0027, 0043-0044, lines 692-694, 867-869, 1415-1424, 1449-1455; PNP, PHL-OTP-00079017, PHL-OTP-00079018, PHL-OTP-00079030, PHL-OTP-00079033, PHL-OTP-00079037, PHL-OTP-00079039 (Translation PHL-OTP-00248821), PHL-OTP-00079040 (Translation PHL-OTP-00248822), PHL-OTP-00079053, PHL-OTP-00079054, PHL-OTP-00079055.

[1263] [REDACTED] at 0016, line 496-514, [REDACTED] at 0023, 0029, 0043-0044, lines 715-722, 939-943, 1415-1444.

[1264] [REDACTED] at 0016, 0030-0031, lines 493-514, 982-993, [REDACTED] at 0023-0025, 0029, 0035-0037, 0043-0044, lines 724-808, 939-943, 1154-1217, 1415-1444, [REDACTED]; PNP, PHL-OTP-00079020 (Translation PHL-OTP-00248820).

[1265] [REDACTED] at 0026, lines 820-826.

[1266] [REDACTED] at 0031, line 993, [REDACTED] at 0026, 0030-0035, lines 820-835,965-1145, [REDACTED], PNP, PHL-OTP-00079020 (Translation PHL-OTP-00248820), PHL-OTP-00078821.

[1267] [REDACTED] at 0026-0028, lines 848-888.

[1268] [REDACTED] at 0027-0029, lines 876-925.

[1269] [REDACTED] at 0044-0045, lines 1445-1487.

[1270] [REDACTED] at 0038-0041, lines 1235-1360; PNP, PHL-OTP-00079017, PHL-OTP-00079030, PHL-OTP-00236397, PHL-OTP-00079032, PHL-OTP-00079033, PHL-OTP-00079034, PHL-OTP-00079036, PHL-OTP-00079052.

[1271] [REDACTED] at 0027, lines 854-857; PNP, PHL-OTP-00000145 at 0140, row 562; Tempo online, PHL-OTP-00248801.

Incident 52: On or about [REDACTED] 2016, PNP personnel shot and killed drug suspect [REDACTED] in or around [REDACTED].[1272]

250. [REDACTED], the brother of [REDACTED] of [REDACTED],[1273] was listed on [REDACTED] "Illegal drug personalities' Watchlist".[1274]

251. While [REDACTED] their office with [REDACTED] personnel spotted [REDACTED].[1275] [REDACTED], who wore a [REDACTED] to be the shooter.[1276] [REDACTED] chased [REDACTED] and shot him to death in [REDACTED].[1277] [REDACTED] personnel reported the operation to [REDACTED].[1278] [REDACTED] paid about [REDACTED] pesos to the [REDACTED] operatives who participated in the killing of [REDACTED].[1279]

252. [REDACTED] was not concerned about possible CCTV coverage of the incident, because [REDACTED], because […] there we a lot of cover-ups."[1280] PNP personnel prepared a scenario to shift the blame to groups other than the police.[1281] Media and PNP reports falsely describe the incident as a riding-in-tandem operation involving an unidentified armed individual, who fled on a motorcycle with an accomplice.[1282]

Incident 54: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pusher, [REDACTED], in or around [REDACTED].[1283]

[1272] [REDACTED] at 0004, 0019, lines 74-84, 601-603, [REDACTED] at 0027, lines 872-893, [REDACTED] at 0002-0010, lines 17-294; PNP, PHL-OTP-00236350, PHL-OTP-00079285, PHL-OTP-00079286, PHL-OTP-00079287 (Translation PHL-OTP-00248943), PHL-OTP-00079288 (Translation PHL-OTP-00248944), PHL-OTP-00079289, PHL-OTP-00079290, PHL-OTP-00079291, PHL-OTP-00079292, PHL-OTP-00079293, PHL-OTP-00079295, PHL-OTP-00079296, PHL-OTP-00079298, PHL-OTP-00079299, PHL-OTP-00079300, PHL-OTP-00079301, PHL-OTP-00079306, PHL-OTP-00079307, PHL-OTP-00079308, PHL-OTP-00079309, PHL-OTP-00079310, PHL-OTP-00079311, PHL-OTP-00079312; PhilStar, PHL-OTP-00250096.
[1273] [REDACTED] at 0019, lines 601-603, [REDACTED] at 0027, lines 872-893, [REDACTED] at 0002, lines 17-20.
[1274] [REDACTED] at 0002, 0005-0006, lines 17-26, 136-163; PNP, PHL-OTP-00079285, PHL-OTP-00079287 (Translation PHL-OTP-00248943 at 0001), PHL-OTP-00079293, PHL-OTP-00079299, PHL-OTP-00079300.
[1275] [REDACTED] at 0002-0003, 0008, lines 33-47, 223-227.
[1276] [REDACTED] at 0003, 0008, lines 51-69, 211-213.
[1277] [REDACTED] at 0004, lines 74-84; PNP, PHL-OTP-00079295.
[1278] [REDACTED] at 0005, lines 113-132.
[1279] [REDACTED] at 0006, lines 142-159.
[1280] [REDACTED] at 0008-0010, lines 234-240, 247-257, 271-276.
[1281] [REDACTED] at 0007-0008, lines 172-194, 234-257.
[1282] [REDACTED] at 0010, lines 281-294; PNP, PHL-OTP-00236350, PHL-OTP-00079285, PHL-OTP-00079290, PHL-OTP-00079308, PHL-OTP-00079312, PHL-OTP-00079298; PhilStar, PHL-OTP-00250096.
[1283] [REDACTED] at 0014-0053, lines 414-1737, [REDACTED] at 0007-0011, lines 214-339, [REDACTED] at 0002-0018, lines 167-577; PNP, PHL-OTP-00248630, PHL-OTP-00084277, PHL-OTP-00084279, PHL-OTP-00084280, PHL-OTP-00084281, PHL-OTP-00084282, PHL-OTP-00084283, PHL-OTP-00084284, PHL-OTP-

253. [REDACTED] was listed as alleged drug pusher on [REDACTED] "Illegal drug personalities' Watchlist".[1284] The prime focus of [REDACTED] was on killing the individuals identified [REDACTED].[1285]

254. In the early hours of the morning on [REDACTED] 2016, having been informed by an asset that [REDACTED] was at his house, [REDACTED] house in a [REDACTED].[1286] [REDACTED], together with [REDACTED] and the asset, entered [REDACTED].[1287] [REDACTED] face and shot him twice at close range[1288] using an unregistered weapon.[1289] [REDACTED] reported the killing to [REDACTED].[1290]

255. [REDACTED] paid about [REDACTED] pesos to the operatives.[1291] The incident was falsely described in some PNP media as a killing by an unidentified assailant.[1292] Other media and PNP reports falsely describe a *nanlaban* scenario, whereby the victim was killed by [REDACTED] in an exchange of fire during a buy-bust operation and a handgun, cartridges, and shabu were found at the scene.[1293] [REDACTED] was killed during a legitimate [REDACTED] operation and the description of the incident as a case of *nanlaban.*[1294]

ii. Central Luzon (Region 3)

256. Region 3, or Central Luzon, consists of seven provinces, including Bulacan, where the charged incidents in this region took place.[1295] Region 3 is the area of responsibility of PRO-3.[1296] The Directors of PRO-3 during the **DUTERTE** Presidency were: Aaron Nagtalon

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00084285, PHL-OTP-00084286, row [REDACTED], PHL-OTP-00084288, PHL-OTP-00084289, PHL-OTP-00084290, PHL-OTP-00084291, PHL-OTP-00084293 (Translation PHL-OTP-00248769), PHL-OTP-00084294 (Translation PHL-OTP-00248770), PHL-OTP-00084298, PHL-OTP-00084300, PHL-OTP-00084301, PHL-OTP-00084303, PHL-OTP-00084304, PHL-OTP-00084305, PHL-OTP-00084665 at 0014; PhilStar, PHL-OTP-00250094.

[1284] [REDACTED] at 0022, 0024, lines 694-702, 751-757, [REDACTED] at 0008-0011, lines 210-334; PNP, PHL-OTP-00084286, row [REDACTED], PHL-OTP-00084288, PHL-OTP-00248630.

[1285] [REDACTED] at 0010, lines 295-299, [REDACTED] at 0018-0019, lines 569-580.

[1286] [REDACTED] at 0014-0015, 0027-0028, 0038-0042, lines 414-477, 878-921, 1225-1362, [REDACTED]; PNP, PHL-OTP-00084288.

[1287] [REDACTED] at 0014-0015, 0016, 0033-0034, lines 414-477, 515, 1077-1093.

[1288] [REDACTED] at 0014-0017, 0028-0037, 0042, lines 444-532, 917-1216, 1368-1385, [REDACTED] at 0007-0010, lines 214-302.

[1289] [REDACTED] at 0036, 0043, lines 1161-1169, 1406-1412.

[1290] [REDACTED] at 0017-0018, lines 542-553.

[1291] [REDACTED] at 0018-0020, lines 569-622.

[1292] [REDACTED] at 0021-0022, 0036-0037, lines 659-688, 1170-1215.

[1293] PNP, PHL-OTP-00084277, PHL-OTP-00084279, PHL-OTP-00084280, PHL-OTP-00084281, PHL-OTP-00084285, PHL-OTP-00084288, PHL-OTP-00084293 (Translation PHL-OTP-00248769), PHL-OTP-00084294 (Translation PHL-OTP-00248770), PHL-OTP-00084298, PHL-OTP-00084303, PHL-OTP-00084305, PHL-OTP-00084665 at 0014, PHL-OTP-00248630; PhilStar, PHL-OTP-00250094.

[1294] [REDACTED] at 0002-0006, 0011-0016, lines 16-153, 337-511.

[1295] PHL-OTP-0003-1955 at 0010-0011.

[1296] *See* Annex B.1.

AQUINO (May 2016-September 2017); Amador VALERA CORPUS (September 2017-at least September 2018); and Joel N MARTINEZ CORONEL (November 2018-at least July 2019).[1297] Based on data from [REDACTED], at least [REDACTED] people died in police anti-illegal drug operations in Region 3 during the charged period, including the victims in the 18 charged incidents.[1298] The 16 charged incidents in Region 3 took place in the following locations within Region 3: [REDACTED] (two incidents) and the municipality [REDACTED] (16 incidents).

257. PRO-3 celebrated the killings that occurred at the hands of the PNP in Region 3. At the commencement of the **DUTERTE** Presidency, [REDACTED] ordered that deaths during police operations be considered "accomplishments" for drug operations.[1299] [REDACTED], recalled that "the order was to ensure that all the numbers" of deaths in this regard "are high, so that it [would] be like Davao."[1300] PRO-3 went on to list the death of 426 drug personalities through Project *Tokhang* as one of its accomplishments from 1 July to 31 December 2016.[1301] The killing of drug users and pushers were also listed as PRO-3 accomplishments in 2017[1302] and 2018.[1303] An award was even given to PNP officers for the "most number of died drug personalities during police operations", which was displayed on the Province of Bulacan official website.[1304]

258. In one particularly egregious example, in August 2017, the PNP issued a press release regarding their recent operations, which noted that 32 people were killed by the police in Bulacan in simultaneous OTBT operations from 15 to 16 August 2017.[1305] This includes the victims of charged incidents 28 and 29. **DUTERTE** praised the PNP for these 32 deaths in the course of one night during a speech on 16 August 2017, stating: "they said that 32 people died earlier in Bulacan in a massive raid. That's good. If we can just kill about another 32 everyday then maybe we can reduce that – what ails this country."[1306] In the days following **DUTERTE**'s

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[1297] *See* Annex H.1 and H.2.
[1298] This number is based on the [REDACTED] dataset, in relation to police drug operations conducted from July 2016 to November 2017, and therefore does not reflect all deaths in police operations in [REDACTED] during the entirety of the charged period, *see* [REDACTED], PHL-OTP-00250125 at 0005.
[1299] [REDACTED] at 0012-0013, lines 417-472
[1300] [REDACTED] at 0014, lines 461-462.
[1301] PNP, PHL-OTP-00093135 at 0003. *See also* PNP, PHL-OTP-00093134 at 0003, which notes that from the period of January-November 2016, 373 drug pushers were killed "on the Accomplishment on Project Double Barrel (Police Intervention).
[1302] *See e.g.* PNP, PHL-OTP-00036945 at 0002-0003.
[1303] *See e.g.* PNP, PHL-OTP-00036915 at 0012-0013.
[1304] PNP, PHL-OTP-00019310.
[1305] PNP, PHL-OTP-00036951 at 0003. *See* Annex K: Geographical distribution of killings during the cross-jurisdictional police operation on 15 August 2017 in Bulacan, including incidents 28 and 29.
[1306] PNP, PHL-OTP-00036951 at 0003; PCOO Video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00095238 at 0001.

speech, at least 25 individuals were killed.[1307] As one witness stated: "[i]t was hunting season, a killing spree."[1308]

a) [REDACTED], Region 3 (Incidents 17, 18)

259. The murders charged in [REDACTED] were committed by members of the [REDACTED].[1309] These incidents are primarily evidenced by [REDACTED].

260. [REDACTED] that the pressure to kill alleged criminals and drug users in [REDACTED] was created by **DUTERTE**, who "vocally encouraged to have these people killed."[1310] [REDACTED] there was "this national policy when the [P]resident said that you can just […] kill all the ones involved in drugs. So, the result was that the different police stations were all, like, showing off" and competing with each other.[1311] [REDACTED],[1312] [REDACTED] there were quotas in [REDACTED] to neutralise three to six individuals per week. [1313]

261. Like other stations, the [REDACTED] considered killings to be accomplishments. [REDACTED] information about the numbers of kills during operations was provided to the provincial office, and eventually the regional level, through accomplishment reports.[1314] [REDACTED] the number of individuals neutralised by [REDACTED] was communicated during bi-weekly, or sometimes weekly, conferences that all Bulacan [REDACTED] attended.[1315] [REDACTED] reports with only arrests, and not killings, [REDACTED].[1316]

Incident 17: On or about [REDACTED] 2016, PNP personnel shot and killed alleged criminal FNU LNU [REDACTED] in or around [REDACTED], Bulacan.[1317]

[1307] [REDACTED]; Rappler, PHL-OTP-0003-1718 at 1718; [REDACTED].
[1308] [REDACTED] at 0649-0650, 0723, paras 122-123, 502; [REDACTED]; Rappler, PHL-OTP-0003-1718 at 1718; [REDACTED].
[1309] *See* Annex I.10; Annex I.11: Area of Responsibility of Police Stations within the Bulacan Provincial Office (BPPO) ("Annex I.11").
[1310] [REDACTED] at 0003, lines 53-54.
[1311] [REDACTED] at 0015-0016, lines 459-487.
[1312] [REDACTED] at 0006, lines 194-199; PNP, PHL-OTP-00236436-R01 at 0003.
[1313] [REDACTED] at 0020-0021, lines 687-707.
[1314] [REDACTED] at 0009-0013, lines 262-287, 292-397.
[1315] [REDACTED] at 0020-0021, lines 687-725.
[1316] [REDACTED] at 0022, lines 797-801.
[1317] [REDACTED] at 0006-0011, 0021-0032, lines 139-1070; [REDACTED] at 0004-0005, lines 88-110, [REDACTED] at 0003-0004, lines 48-90; PNP, PHL-OTP-00000153 at 0308-0309, PHL-OTP-00049465 at 0019, PHL-OTP-00048911, row 384, PHL-OTP-00049116, row 9, PHL-OTP-00036929 at 0002; PHL-OTP-00236430-R01 at 0003, PHL-OTP-00239399 at 0003, PHL-OTP-00248990 at 0091-0096; [REDACTED]; PNP, PHL-OTP-00239534 at 0002, 0004-0005, PHL-OTP-00239642 at 0001, 0004-0005; [REDACTED].

262. [REDACTED][1318] was killed by members of the PNP from the [REDACTED] during a [REDACTED] operation conducted against [REDACTED], in an area known [REDACTED].[1319] This incident was part of a OTBT operation.[1320] On the morning of the incident,[1321] [REDACTED],[1322] [REDACTED].[1323] The PNP team [REDACTED], but during their search they saw [REDACTED].[1324] When the team saw that [REDACTED], they apprehended him, [REDACTED].[1325] They then [REDACTED] his weapon, handcuffed him[1326] and brought him to [REDACTED], which was the location [REDACTED], where [REDACTED] ordered his men to kill [REDACTED].[1327] [REDACTED] shot the victim. The PNP team ensured that [REDACTED] was dead.[1328] After the incident, [REDACTED].[1329] [REDACTED].[1330] [REDACTED].[1331] NAPOLCOM dismissed the case against police officers involved in the incident for alleged homicide, grave irregularity in the performance of duty, or grave neglect of duty for lack of "substantial evidence" and cited *inter alia* the "presumption of regularity".[1332] This decision was in line with the promise made to officers involved in killings during drug related operations. [1333]

Incident 18: On or about [REDACTED] 2016, PNP personnel shot and killed alleged drug pushers [REDACTED] and [REDACTED], in or around [REDACTED], Bulacan.[1334]

[1318] [REDACTED] at 0018-0019, lines 548-550, 573-584; PNP, PHL-OTP-00000153 at 0308-0309, PHL-OTP-00048911, row 384, PHL-OTP-00049116, row 9, PHL-OTP-00049465 at 0019.
[1319] [REDACTED] at 0006-0007, 0021-0022, lines 139-148, 176-177, 189, 648-656, 677-678, [REDACTED] at 0004-0005, lines 88-110; PNP, PHL-OTP-00000153 at 0308-0309; PHL-OTP-00048911, row 384.
[1320] [REDACTED] at 0006-0007, 0033, lines 168, 179-180, 1054-1070; PNP, PHL-OTP-00036929 at 0002.
[1321] [REDACTED] at 0019-0020, lines 587, 624-625.
[1322] PNP, PHL-OTP-00239399 at 0003.
[1323] [REDACTED] at 0019-0021, lines 588-662.
[1324] [REDACTED] at 0007, 0018, 0023-0024, lines 184-187, 193-197, 551-553, 707-719, 739-744.
[1325] [REDACTED] at 0007-0008, 0023, 0031, lines 197-208, 215-229, 232-234, 722, 728, 988-994.
[1326] [REDACTED] at 0023, 0026, lines 722-725, 821. *See also* PNP, PHL-OTP-00248990 at 0096.
[1327] [REDACTED] at 0009-0010, 0022-0024, 0026, lines 262-284, 690-706, 722-725, 730-738, 750-773, 821, 836.
[1328] [REDACTED] at 0006, 0010-0011, 0024-0028, 0031-0032, lines 148-155, 293-301, 325-329, 750-895, 896-907, 998, 1001-1002, 1027-1037, [REDACTED]. *See also* PNP, PHL-OTP-00000153 at 0308, PHL-OTP-00048911, row [REDACTED], PHL-OTP-00049116, row [REDACTED], PHL-OTP-00049465 at 0019, PHL-OTP-00248990 at 0093-0096.
[1329] [REDACTED] at 0008-0009, lines 236-246.
[1330] [REDACTED] at 0030, lines 961-965; PNP, PHL-OTP-00000153 at 0308-0309.
[1331] PNP, PHL-OTP-00048911, row [REDACTED], PHL-OTP-00049116, row [REDACTED], PHL-OTP-00049465 at 0019, PHL-OTP-00000153 at 0308-0309; PHL-OTP-00248990 at 0091-0092.
[1332] PNP, PHL-OTP-00239534 at 0002, 0004-0005. *See also* PHL-OTP-00239642 at 0001, 0004-0005.
[1333] [REDACTED] at 0003-0004, lines 48-90.
[1334] [REDACTED] at 0007-0010, [REDACTED] at 0003-0004, lines 48-90; PNP, PHL-OTP-00000153 at 0062-0064, PHL-OTP-00049465 at 0019-0020, PHL-OTP-00236363-R01 at 0002, PHL-OTP-00239547 at 0001-0004, PHL-OTP-00239655 at 0001, 0004-0005, PHL-OTP-00248990 at 116-124, 135, PHL-OTP-00036921 at 0007; [REDACTED]; [REDACTED], PHL-OTP-00036975 at 0031; [REDACTED].

263. [REDACTED] and [REDACTED] were two alleged drug pushers targeted by members of the PNP from the [REDACTED]. Prior to leaving [REDACTED] for the operation,[1335] [REDACTED] ordered: "if you see them, kill them".[1336] The PNP team led by [REDACTED][1337] found [REDACTED] and [REDACTED], together with [REDACTED].[1338] [REDACTED] ordered his men to shoot them, [REDACTED],[1339] and told them that [REDACTED].[1340] [REDACTED] and [REDACTED] were [REDACTED] and shot and killed.[1341] PNP reports of this incident falsely specify that firearms and "sachet[s] containing suspected *shabu*" were found at the crime scene and that the victims were killed during a buy-bust operation.[1342] [REDACTED].[1343] [REDACTED] others police officers involved in drug related operations,[1344] NAPOLCOM dismissed the case against police officers involved in this incident on the basis that there was "no substantial evidence" and cited *inter alia* the presumption of regularity.[1345]

b) Municipality [REDACTED], Region 3 (Incidents 25, 27, 28, 29, 32, 34, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47)

264. The murders charged in [REDACTED] were committed by members of the [REDACTED].[1346] These incidents are primarily evidenced by [REDACTED].

265. The incidents are supported by evidence from, in particular: [REDACTED] killed in a OTBT operation and [REDACTED]; [REDACTED].

266. As with other stations, the [REDACTED] treated the killing of alleged drug users and criminals as accomplishments, often issuing press releases touting killings as "significant results" in Project Double Barrel Reloaded.[1347] Further, in **DUTERTE**'s 16 August 2017

[1335] [REDACTED] at 0007-0008, 0011, lines 177-212, 310-315; PNP, PHL-OTP-00000153 at 0062-0064, PHL-OTP-00049465 at 0020, PHL-OTP-00036921 at 0007.
[1336] [REDACTED] at 0010-0011, lines 300-311, 315-324. *See also* [REDACTED] at 0008, lines 232-244.
[1337] PNP, PHL-OTP-00236363-R01 at 0002, para. 3, PHL-OTP-00239655 at 0003.
[1338] [REDACTED] at 0008, lines 224-229; PNP, PHL-OTP-00000153 at 0062.
[1339] [REDACTED] at 0008, lines 231-237.
[1340] [REDACTED] at 0009, lines 239-249.
[1341] [REDACTED] at 0009, lines 252, 257-261; PNP, PHL-OTP-00000153 at 0062, PHL-OTP-00248990 at 116-124, 135; [REDACTED]; [REDACTED], PHL-OTP-00036975 at 0031; [REDACTED]; PNP, PHL-OTP-00236363-R01 at 0002.
[1342] PNP, PHL-OTP-00000153 at 0062-0063, PHL-OTP-00036921 at 0007, PHL-OTP-00049465 at 0019, PHL-OTP-00236363-R01 at 0002, PHL-OTP-00239655 at 0003. *See also* PHL-OTP-00248990 at 119-124.
[1343] [REDACTED] at 0008-0010, lines 212-213, 265-281. *See also* [REDACTED] at 0002-0003, lines 32-45.
[1344] [REDACTED] at 0003-0004, lines 48-90.
[1345] PNP, PHL-OTP-00239547 at 0001-0004. *See also* PHL-OTP-00239655 at 0001, 0004-0005.
[1346] *See* Annex I.10, Annex I.11.
[1347] *See e.g.* Incidents 27, 28, 29, 32 and 40.

speech described above, he commended the police on the high death toll of certain operations (Incidents 28 and 29).[1348]

Incident 25: Between [REDACTED] 2017, PNP personnel shot and killed alleged drug user [REDACTED] on or around [REDACTED], Bulacan.[1349]

267. An alleged drug pusher, known as [REDACTED], was identified as a target for a OTBT operation.[1350] Between about [REDACTED], police officers and non-police assets approached [REDACTED], and police officer [REDACTED] shot and killed him.[1351]

Incident 27: On or about [REDACTED] 2017, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Bulacan. The victim was listed as a drug pusher on [REDACTED] "Illegal Drug Watch List". [1352]

268. [REDACTED] was listed as an "illegal drug pusher" on [REDACTED].[1353] He was killed during a OTBT operation after an asset had reported him to the police [REDACTED].[1354] On [REDACTED] 2017, PNP and assets abducted [REDACTED].[1355] He was taken to [REDACTED] to kill him.[1356] The police [REDACTED].[1357] The group [REDACTED] to the intended crime scene at [REDACTED].[1358] [REDACTED].[1359] When the group arrived at the

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[1348] *See e.g.* Incidents 28 and 29; PCOO video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0001); Inquirer, PHL-OTP-0003-1369 at 0002.
[1349] [REDACTED] at 0004, 0013-0015, lines 70-84, 386-482, [REDACTED]; [REDACTED] at 0010-0014, lines 311-457; [REDACTED] at 0006, 0013-0019, lines 0153-0161, 0397-0585, [REDACTED] at 0006, 0013-0019, lines 155-159, 393590, [REDACTED] at 0015, lines 465-482, [REDACTED] at 0002-0003, lines 2-52.
[1350] [REDACTED] at 0010-0014, lines 311-457; [REDACTED] at 0004, lines 76-84, 0015, lines 471-482. *See also* [REDACTED] at 0006, lines 153-161, 346-441.
[1351] [REDACTED] at 0004, 0013-0014, lines 70-84, 386-453, [REDACTED] at 0016, lines 516-521, [REDACTED] at 0003-0004, lines 48-91; [REDACTED] at 0010-0014, lines 311-457. *See also* [REDACTED] at 0014-0015, lines 451-468, [REDACTED] at 0002-0003, lines 2-52, [REDACTED] at 0013, 0015-0016, 0018, lines 394-410, 473-503, 576-584. For the [REDACTED], *see* PNP, PHL-OTP-00088583-R01.
[1352] [REDACTED] at 0008-0012, lines 214-372; [REDACTED]; [REDACTED]; [REDACTED]; GoPHL, PHL-OTP-00092094; PhilStar, PHL-OTP-00015255; PNP, PHL-OTP-0006-8760, PHL-OTP-00036947, PHL-OTP-00048911, row [REDACTED], PHL-OTP-00236336-R01, PHL-OTP-00240217-R01, PHL-OTP-00088656; [REDACTED]; [REDACTED]; PHL-OTP-00036947.
[1353] PNP, PHL-OTP-0006-8760 at 8773, para. 5, PHL-OTP-00236336-R01 at 0003; GoPHL, PHL-OTP-00092094 at 0002.
[1354] [REDACTED] at 0008-0009, 0010, lines 219-248, 304. *See also* [REDACTED] at 0007, 0015, lines 171-172, 381-382; [REDACTED] at 0003.
[1355] [REDACTED] at 0008-0009, lines 219-269; [REDACTED] at 0007, 0011-0013, lines 186-190, 324-377; PNP, PHL-OTP-00236336-R01 at 0001, PHL-OTP-00240217-R01 at 0002-0003; [REDACTED]; [REDACTED].
[1356] [REDACTED] at 0009-0010, lines 267-274; [REDACTED] at 0013-0015, lines 379, 437-458.
[1357] [REDACTED] at 0010, lines 276-284.
[1358] [REDACTED] at 0010-0011, lines 281-284, 290-297, 337-340; PNP, PHL-OTP-0006-8760 at 8873, para. 2; [REDACTED] at 0015-0016, lines 457-461, 475-491; PNP, PHL-OTP-00236336-R01 at 0001, PHL-OTP-00240217-R01 at 0002-0003.
[1359] [REDACTED] at 0010, lines 287-288; [REDACTED] at 0016, lines 490-503.

location [REDACTED] shot and killed [REDACTED].[1360] [REDACTED] planted *shabu*, money and a gun on [REDACTED] body, all given to him by [REDACTED].[1361] The police account of the incident falsely claims that [REDACTED] was killed in legitimate self-defence during a buy-bust operation.[1362] [REDACTED].[1363]

269. NAPOLCOM dismissed the case against police officers involved in the incident for alleged homicide, grave irregularity in the performance of duty, or grave neglect of duty, "for lack of substantial evidence".[1364]

Incident 28: On or about 15 August 2017, PNP personnel shot and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan.[1365]

270. [REDACTED] was an alleged former drug user, who was targeted by PNP personnel during a major OTBT operation conducted across Bulacan province.[1366] A group of police and assets abducted [REDACTED].[1367] [REDACTED] he was handcuffed.[1368] The group then [REDACTED] until after midnight, when the OTBT operation was scheduled to begin.[1369] In the early hours of [REDACTED] 2017 the group [REDACTED] to the crime scene in or around

[1360] [REDACTED] at 0010, 0012, lines 290-301, 358-368; PNP, PHL-OTP-0006-8760 at 8873, para. 2; PHL-OTP-00236336-R01 at 0001-0002, PHL-OTP-00240217-R01 at 0003; *see also* PNP, PHL-OTP-00088656.
[1361] [REDACTED] at 0011-0012, lines 342-357; PNP, PHL-OTP-0006-8760 at 8773, para. 4, PHL-OTP-00236336-R01 at 0002, PHL-OTP-00240217-R01 at 0003.
[1362] *See* PNP, PHL-OTP-0006-8760 at 8773, paras. 2-3; PHL-OTP-00036947 at 0003; PHL-OTP-00236336-R01 at 0001, PHL-OTP-00240217-R01 at 0002-0003; PhilStar, PHL-OTP-00015255 at 0001-0002.
[1363] PNP, PHL-OTP-00036947 at 0003.
[1364] PNP, PHL-OTP-00240217-R01 at 0001, 0004-0005.
[1365] [REDACTED] at 0003-0013, lines 86-382, [REDACTED] at 0004-0006, lines 72-143; [REDACTED] at 0004-0007, lines 73-178, [REDACTED]; [REDACTED], [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); [REDACTED] at 0003, 0012-0013, lines 56-60, 358-405; GMA, PHL-OTP-00019034 (Transcript PHL-OTP-00092360; Translation PHL-OTP-00092386); PCOO video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0001); PNP, PHL-OTP-0006-8760, PHL-OTP-00036951, PHL-OTP-00240110, PHL-OTP-00240202, PHL-OTP-00236345; PHL-OTP-00015498; PHL-OTP-00090716-R01, PHL-OTP-00048911, PHL-OTP-00048912, row [REDACTED]; Inquirer, PHL-OTP-0003-1369, PHL-OTP-00235842; Philippine News Agency, PHL-OTP-00235844; GoPHL, PHL-OTP-00092094; [REDACTED]; [REDACTED].
[1366] [REDACTED] at 0005, lines 112-115; [REDACTED] at 0012, line 366; PNP, PHL-OTP-00036951 at 0006; [REDACTED] at 0004, lines 76-78; GMA, PHL-OTP-00019034 (Transcript PHL-OTP-00092360; Translation PHL-OTP-00092386); Inquirer, PHL-OTP-00235842 at 0001-0002; Philippine News Agency, PHL-OTP-00235844; GoPHL, PHL-OTP-00092094 at 0002; [REDACTED].
[1367] [REDACTED] at 0005, 0007, lines 120-126, 172-200, [REDACTED] at 0010-0011, lines 305-316; [REDACTED] at 0012-0013, lines 358-370.
[1368] [REDACTED] at 0005, 0008, lines 123-128, 201-208; [REDACTED] at 0013, lines 372-389.
[1369] [REDACTED] at 0005-0006, 0008, lines 130-143, 214-231; PNP, PHL-OTP-00036951 at 0003; [REDACTED] at 0013, line 374.

[REDACTED][1370] shot and killed him.[1371] [REDACTED] planted *shabu*, money and a [REDACTED] gun on the victim's body, all given to him by [REDACTED].[1372] The police account of the incident falsely claims that the victim was killed in legitimate self-defence during a buy-bust operation.[1373] [REDACTED] a "significant result" of the Bulacan PPO's simultaneous OTBT operations, which led to the death of 32 people over a 24 hour period.[1374] **DUTERTE** commended the police on the high death toll of these operations.[1375]

271. NAPOLCOM dismissed the case against police officers involved in the incident "for lack of substantial evidence" and stated *inter alia* that "in the absence of any evidence to the contrary, the respondents in the instant case are presumed to have regularly performed their duties".[1376]

Incident 29: On or about 15 August 2017, PNP personnel shot and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan. [1377]

272. The police [REDACTED] on suspicion that [REDACTED] had committed drug-related offences,[1378] and he and [REDACTED] were then targeted and killed during Bulacan PPO's simultaneous OTBT operations, which led to the death of 32 people over a 24 hour period.[1379]

[1370] Alternative spelling: [REDACTED]. While the transcript of [REDACTED] interview refers to a [REDACTED] (*see* discussion of pronunciation of [REDACTED] at 0003, lines 48-55), the Prosecution notes that an [REDACTED], *see* PNP, PHL-OTP-00048911, PHL-OTP-00240110 at 0002, PHL-OTP-00240202 at 0003.

[1371] [REDACTED] at 0004-0006, 0008-0009, lines 86-110, 146-157, 232-250, [REDACTED] at 0011, lines 316-320; [REDACTED] at 0005, lines 112-117, [REDACTED] at 0008-0012, lines 219-345; [REDACTED] at 0013, lines 392-402; PNP, PHL-OTP-00240110 at 0002, PHL-OTP-00240202 at 0001-0003, PHL-OTP-00015498 at 0019, PHL-OTP-00236345 at 0001; PHL-OTP-00048912 at row [REDACTED]; [REDACTED].

[1372] [REDACTED] at 0006, 0009-0010, line 160, 251-291, [REDACTED] at 0005-0006, lines 113-117, 138-143, [REDACTED] at 0011, lines 321-333; [REDACTED] at 0013, lines 403-405; PNP, PHL-OTP-00240110 at 0001-0004, PHL-OTP-00240202 at 0001-0003, PHL-OTP-00015498 at 0019, PHL-OTP-00236345 at 0002, PHL-OTP-00048912 at row 372.

[1373] *See* PNP, PHL-OTP-0006-8760 at 8775, PHL-OTP-00240110 at 0002, PHL-OTP-00240202 at 0003, PHL-OTP-00015498 at 0019, PHL-OTP-00236345 at 0001.

[1374] PNP, PHL-OTP-00036951 at 0006; Inquirer, PHL-OTP-0003-1369 at 0002; Philippine News Agency, PHL-OTP-00235844.

[1375] PCOO video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0001); Inquirer, PHL-OTP-0003-1369 at 0002.

[1376] PNP, PHL-OTP-00240110 at 0001-0004, PHL-OTP-00240202 at 0001, 0003-0004.

[1377] [REDACTED] at 0006-0015, lines 156-480; [REDACTED] at 0018, lines 596-601, [REDACTED] at 0009-0011, lines 271-351, [REDACTED] at 0002-0003, lines 26-38; [REDACTED]; [REDACTED]; PNP, PHL-OTP-0006-8760, PHL-OTP-00036951, PHL-OTP-00015498, PHL-OTP-00239454, PHL-OTP-00239568, PHL-OTP-00236395, PHL-OTP-00048911, PHL-OTP-00048912; PHL-OTP-00090716-R01; GoPHL, PHL-OTP-00092094; PHL-OTP-00092097; Inquirer, PHL-OTP-0003-1369; Philippine News Agency, PHL-OTP-00235844; [REDACTED].

[1378] PNP, PHL-OTP-0006-8760 at 8776, para. 2, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0003, PHL-OTP-00239568 at 0002-0003, PHL-OTP-00092097 at 0001, 0004-0012, 0016, 0018, PHL-OTP-00236395 at 0002; [REDACTED] at 0006-0007, lines 163-186; [REDACTED] at 0008, lines 236-245; GoPHL, PHL-OTP-00092094 at 0002.

[1379] [REDACTED]: PNP, PHL-OTP-0006-8760 at 8776, para. 2, PHL-OTP-00048911, rows [REDACTED]; PHL-OTP-00090716-R01 at 0001-0002, 0004-0005, 0009; [REDACTED] at 0013, lines 380-385; [REDACTED] at 0039, lines 1273-1274. *See also* Inquirer, PHL-OTP-0003-1369 at 0002; Philippine News Agency, PHL-OTP-00235844.

At around 15h00, a group of PNP personnel and non-police assets entered [REDACTED] in or around [REDACTED], forced him to the ground and handcuffed him.[1380] [REDACTED] was then made to stand while [REDACTED] shot and killed him.[1381] Another man [REDACTED], where [REDACTED] took turns shooting him until he died.[1382] [REDACTED] planted a gun on [REDACTED] that was given to him by [REDACTED].[1383] [REDACTED].[1384] The police report falsely claimed that [REDACTED] fired towards police, [REDACTED].[1385] [REDACTED], the death of both victims was recorded as a "significant result" of the Bulacan PPO's simultaneous OTBT operations over 15 to 16 August 2017, which were praised by **DUTERTE**.[1386]

273. The memorandum submitted by the [REDACTED] following the incident strongly recommended that participating police elements "be given awards for their selfless devotion to duty, alertness and presence of mind which resulted in the preservation of life, property and neutralization of the suspects".[1387] Further, NAPOLCOM dismissed the case against police officers involved in the incident "for lack of substantial evidence" and cited the presumption of regularity in the performance of duty.[1388]

Incident 32: On or about [REDACTED] 2017, PNP personnel shot and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan.[1389]

[1380] [REDACTED] at 0006-0010, lines 186-241, 283-294; PNP, PHL-OTP-0006-8760 at 8776, para. 2, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0003, PHL-OTP-00239568 at 0002, PHL-OTP-00092097 at 0001, 0005, 0007-0012, 0015-0016, 0018, PHL-OTP-00236395 at 0001-0002, PHL-OTP-00048912 at row [REDACTED]; [REDACTED].
[1381] [REDACTED] at 0009, lines 243-246; [REDACTED] at 0010-0012, lines 306-324, 354-362; [REDACTED] at 0009, lines 253-270; PNP, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0001-0003, 0005, PHL-OTP-00239568 at 0001-0002, 0004, PHL-OTP-00092097 at 0001, 0004-0005, 0007-0010, 0015-0016, 0019, PHL-OTP-00048912 at row 373.
[1382] [REDACTED] at 0009-0010, lines 248-259, 295-305; [REDACTED] at 0010-0012, lines 334-362; [REDACTED] at 0010-0011, lines 291-303, 319-329, 344-387, 412-417, [REDACTED] at 0002, lines 12-16; PNP, PHL-OTP-00239454 at 0003, PHL-OTP-00092097 at 0001, 0005, 0007-0010, 0016.
[1383] [REDACTED] at 0012-0014, lines 351-369, 396-413, [REDACTED] at 0013, lines 384-391. *See also* PNP, PHL-OTP-0006-8760 at 8776, para. 3, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0001-0005, PHL-OTP-00239568 at 0001-0004, PHL-OTP-00092097 at 0001-0002, 0005, 0007-0008, 0011-0012, 0016-0019.
[1384] [REDACTED] at 0011-0012, lines 319-329, 344-387, 412-417, [REDACTED] at 0013, lines 392-393; [REDACTED] at 0011, lines 321-329; PNP, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0004, PHL-OTP-00092097 at 0001-0002, 0005-0007, 0009.
[1385] PNP, PHL-OTP-0006-8760 at 8776, para. 3, PHL-OTP-00015498 at 0019, PHL-OTP-00239454 at 0003-0004, PHL-OTP-00239568 at 0003, PHL-OTP-00092097 at 0001, 0004-0005, 0007, PHL-OTP-00236395 at 0002.
[1386] PNP, PHL-OTP-00036951 at 0003; PCOO Video of DUTERTE's Speech, 16 August 2017, PHL-OTP-00090708 (PCOO Transcript PHL-OTP-0003-3213; Translation PHL-OTP-00015491 at 0001); Inquirer, PHL-OTP-0003-1369 at 0002.
[1387] PNP, PHL-OTP-00092097 at 0004, 0006, 0019.
[1388] PNP, PHL-OTP-00239454 at 0001-0005, PHL-OTP-00239568 at 0001, 0003-0004.
[1389] [REDACTED] at 0007, lines 175-182, [REDACTED] at 0003-0011, lines 38-326, [REDACTED] at 0018, lines 569-577, [REDACTED] at 0012, lines 381-382, [REDACTED]; [REDACTED] at 0009, lines 258-273, PHL-OTP-00000603-R01, PHL-OTP-00000611-R01; [REDACTED] at 0030-0031, lines 950-1010; GoPHL, PHL-OTP-00092094; PHL-OTP-00235847, PHL-OTP-00236398; PNP, PHL-OTP-0006-8760 at 8777 PHL-OTP-00048911, row [REDACTED], PHL-OTP-

274. [REDACTED] reported [REDACTED], an alleged drug pusher, to the police.[1390] [REDACTED] instructed [REDACTED], in preparation for a OTBT operation.[1391] [REDACTED] was loaded [REDACTED] and a group of police officers and then [REDACTED].[1392] That night, police [REDACTED].[1393] [REDACTED] where officer [REDACTED] shot and killed him.[1394] [REDACTED] planted *shabu*, money and a gun on [REDACTED], given to him by [REDACTED], who had fired the gun beforehand.[1395] The police report reflects the *nanlaban* scene [REDACTED] and falsely claims that the killing resulted from the victim violently resisting arrest during a buy-bust operation.[1396] The incident was reported as a Double Barrel accomplishment in a [REDACTED].[1397]

Incident 34: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan.[1398]

00049464, [REDACTED], row [REDACTED]; GMA, PHL-OTP-0001-4422 (Transcript PHL-OTP-00019384; Translation PHL-OTP-0007-0928), PHL-OTP-00015257 (Transcript PHL-OTP-00015617; Translation PHL-OTP-00015619); ABS-CBN, PHL-OTP-00000234 (Transcript PHL-OTP-00015609; Translation PHL-OTP-00015576); [REDACTED], row [REDACTED]; Philstar, PHL-OTP-00235853.

[1390] [REDACTED] at 0005-0006, lines 133-137, 164-168; PNP, PHL-OTP-0006-8760 at 8777; GMA, PHL-OTP-0001-4422 (Transcript PHL-OTP-00019384; Translation PHL-OTP-0007-0928 at 0930, lines 2-8, 19); ABS-CBN, PHL-OTP-00000234 (Transcript PHL-OTP-00015609; Translation PHL-OTP-00015576 at 0002, lines 2-4, 9); [REDACTED] at 0030, lines 965-969; GoPHL, PHL-OTP-00092094 at 0002.

[1391] [REDACTED] at 0007, lines 175-176, [REDACTED] at 0003, lines 38-70; [REDACTED] at 0012-0013, lines 374-397; [REDACTED] at 0030, lines 957-958; PhilStar, PHL-OTP-00235853 at 0001.

[1392] [REDACTED] at 0007, lines 181-182, [REDACTED] at 0004, lines 71-84, 0007, 178-200; [REDACTED] at 0012-0013, lines 374-397; [REDACTED] at 0030, lines 950-985.

[1393] [REDACTED] at 0004, lines 87-88.

[1394] [REDACTED] at 0004-0009, lines 91-157, 201-218, 271-302, [REDACTED] at 0018, lines 569-577; [REDACTED] at 0013, lines 400-406, [REDACTED] at 0010, lines 298-301; [REDACTED] at 0030-0032, lines 985-1004, 1032-1049; PNP, PHL-OTP-00049464, [REDACTED], row 375, PHL-OTP-0006-8760 at 8777, PHL-OTP-00236398 at 0002, PHL-OTP-00048911, row [REDACTED]; ABS-CBN, PHL-OTP-00000234 (Transcript PHL-OTP-00015609; Translation PHL-OTP-00015576 at 0002, lines 2-4, 9).

[1395] [REDACTED] at 0005, 0008-0009, lines 130, 219-260, [REDACTED] at 0013, lines 376-382, [REDACTED] at 0019, line 609; [REDACTED] at 0013, lines 406-407; [REDACTED] at 0031, lines 1009-1010. *See also* PNP, PHL-OTP-0006-8760 at 8777, para. 6, PHL-OTP-00236398 at 0002-0003, PHL-OTP-00049464, [REDACTED], row [REDACTED], PHL-OTP-00048911, entry in row [REDACTED], PHL-OTP-00235847; GMA, PHL-OTP-0001-4422 (Transcript PHL-OTP-00019384; Translation PHL-OTP-0007-0928 at 0930, line 20), PHL-OTP-00015257 (Transcript PHL-OTP-00015617; Translation PHL-OTP-00015619 at 0002, lines 17-18).

[1396] *See* PNP, PHL-OTP-0006-8760 at 8777, paras. 5-6, PHL-OTP-00236398 at 0002; GMA, PHL-OTP-0001-4422 (Transcript PHL-OTP-00019384; Translation PHL-OTP-0007-0928 at 0930, lines 2-8, 19-20); ABS-CBN, PHL-OTP-00000234 (Transcript PHL-OTP-00015609; Translation PHL-OTP-00015576 at 0002, lines 2-5); [REDACTED] at 0031, lines 1005-1007; [REDACTED]; PHL-OTP-00235847; PhilStar, PHL-OTP-00235853 at 0001. *See also* GMA, PHL-OTP-00015257 (Transcript PHL-OTP-00015617; Translation PHL-OTP-00015619 at 0002, lines 2-8).

[1397] PNP, PHL-OTP-00235847.

[1398] [REDACTED] at 0007-0008, lines 199-276, [REDACTED] at 0005-0010, lines 115-276, [REDACTED] at 0004, lines 78-88, [REDACTED] at 0016, lines 485-492; [REDACTED] at 0001-0009, lines 203-254, [REDACTED] at 0006-0009, lines 138-220, 246-290; PNP, PHL-OTP-00036915, PHL-OTP-00092096, PHL-OTP-00236396-R01; PhilStar, PHL-OTP-00015260; Aykson, PHL-OTP-0001-4420 (Transcript PHL-OTP-00019383; Translation PHL-OTP-0007-0925); [REDACTED]; GoPHL, PHL-OTP-00092094.

275. A [REDACTED] reported [REDACTED], an alleged drug pusher, to the police.[1399] [REDACTED] on or about [REDACTED] 2018,[1400] [REDACTED] and [REDACTED], went to [REDACTED] in or around [REDACTED], where [REDACTED] shot and killed [REDACTED].[1401] [REDACTED] planted drugs, money and a [REDACTED] (gun) on [REDACTED] body.[1402] [REDACTED].[1403] After having killed [REDACTED], the group [REDACTED] in the vicinity of [REDACTED] and went with [REDACTED].[1404] The police falsely claimed that [REDACTED] had been killed during a buy-bust operation after trying to shoot at police.[1405]

276. The memorandum submitted [REDACTED] following the incident strongly recommended that all participating police elements be given awards "for their selfless devotion to duty, alertness and presence of mind which resulted in the preservation of life, property and Died in Police Operation of the suspect".[1406]

Incident 37: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan.[1407]

277. Alleged drug user [REDACTED] went to [REDACTED] insisting that [REDACTED] sell him *shabu* [REDACTED].[1408] [REDACTED] told [REDACTED] that he would go find him *shabu* but instead went to [REDACTED] and reported him [REDACTED].[1409]

[1399] [REDACTED] at 0008, lines 240-241, [REDACTED] at 0006, lines 150-151; GoPHL, PHL-OTP-00092094 at 0002.
[1400] PhilStar, PHL-OTP-00015260 at 0001; PNP, PHL-OTP-00036915 at 0167, PHL-OTP-00092096 at 0001, 0003, 0006-0008, 0013-0016, PHL-OTP-00236396-R01 at 0001, 0003; Aksyon, PHL-OTP-0001-4420 (Transcript PHL-OTP-00019383; Translation PHL-OTP-0007-0925).
[1401] [REDACTED] at 0007-0008, lines 199-211, 270-276, [REDACTED] at 0005-0010, lines 115-189, 196-218, 260-283, [REDACTED] at 0004, lines 78-88, [REDACTED] at 0016, lines 485-492; [REDACTED] at 0007-0009, lines 203-209, 248-254; Aksyon, PHL-OTP-0001-4420 (Translation PHL-OTP-0007-0925); PNP, PHL-OTP-00092096 at 0001, 0003-0004, 0006-0009, 0013-0017, PHL-OTP-00236396-R01 at 0001-0003. *See also* [REDACTED] at 0006-0009, lines 138-220, 246-290; [REDACTED] at 0016, lines 480-489, [REDACTED] at 0036-0037, lines 1188-1212.
[1402] [REDACTED] at 0008, lines 213-235; Aykson, PHL-OTP-0001-4420 (Translation PHL-OTP-0007-0925 at 0927, lines 2-13); PNP, PHL-OTP-00092096 at 0001-0002, 0004-0006, 0008-0009, 0013, 0015. [REDACTED]. *See* [REDACTED] at 0008, lines 213-235.
[1403] [REDACTED] at 0006-0007, lines 141, 159-189; PNP, PHL-OTP-00092096 at 0002, 0004-0006, 0008-0009, PHL-OTP-00236396-R01 at 0002. For the [REDACTED], *see* PHL-OTP-00236428 at 0001.
[1404] [REDACTED] at 0005, 0007-0009, lines 104-121, 190-195, 219-259.
[1405] Aykson, PHL-OTP-0001-4420 (Translation PHL-OTP-0007-0925 at 0927, lines 4-7); PNP, PHL-OTP-00092096 at 0003-0004, 0006, PHL-OTP-00236396-R01 at 0001-0003.
[1406] PNP, PHL-OTP-00092096 at 0003, 0005, 0017.
[1407] [REDACTED] at 0008-0014, lines 241-439; [REDACTED] at 0007-0008, lines 187-243; PhilStar, PHL-OTP-00015262 (Translation PHL-OTP-00015361); PHL-OTP-00235837; PNP, PHL-OTP-00236353-R01, PHL-OTP-00239459, PHL-OTP-00239573, PHL-OTP-00036915; Video, PHL-OTP-00235833 (Transcript PHL-OTP-00250174; Translation PHL-OTP-00250208).
[1408] [REDACTED] at 0008-0009, lines 241-246.
[1409] [REDACTED] at 0008-0009, lines 248-260.

[REDACTED].[1410] A group of police officers then arrived at [REDACTED], abducted [REDACTED] told him that he was being detained because he insisted on buying *shabu*.[1411] The next day, a group of police met and constructed a plan [REDACTED].[1412] [REDACTED].[1413] The officers then drove [REDACTED] to [REDACTED], where [REDACTED].[1414] [REDACTED] then shot and killed [REDACTED].[1415] An officer also shot [REDACTED], to make it look like [REDACTED] had fired at the police.[1416] [REDACTED] planted *shabu* and a gun (which he had fired beforehand), given to him by [REDACTED], on [REDACTED] body.[1417] The police falsely claimed afterward that [REDACTED] was killed after drawing a weapon at police officers.[1418]

278. NAPOLCOM dismissed the case against police officers involved in the incident on the basis that there was "no substantial" and cited *inter alia* the "presumption of regularity".[1419]

Incident 38: On or about [REDACTED] 2018, PNP personnel strangled and killed alleged thief and drug user [REDACTED] in or around [REDACTED], Bulacan. [REDACTED] was a male child, aged approximately [REDACTED].[1420]

279. [REDACTED] ordered [REDACTED] to be killed, claiming he was an [REDACTED].[1421] [REDACTED], and [REDACTED] and [REDACTED] used drugs

[1410] [REDACTED] at 0009, lines 259-260.
[1411] [REDACTED] at 0009, lines 262-264, 270-273.
[1412] [REDACTED] at 0009-0010, 0012-0014, lines 275-299, 378-401; Ngayon, PHL-OTP-00015262 (Translation PHL-OTP-00015361 at 0001).
[1413] [REDACTED] at 0009-0010, 0014, lines 275-312, 416-439; PNP, PHL-OTP-00236353-R01 at 0001-0003, PHL-OTP-00239459 at 0002, PHL-OTP-00239573 at 0002-0004, PHL-OTP-00036915 at 0127; Video, PHL-OTP-00235833 (Transcript PHL-OTP-00250174; Translation PHL-OTP-00250208).
[1414] [REDACTED] at 0010, lines 298-302; PNP, PHL-OTP-00236353-R01 at 0001-0003, PHL-OTP-00239459 at 0002, PHL-OTP-00239573 at 0002-0004, PHL-OTP-00036915 at 0127.
[1415] [REDACTED] at 0010-0012, lines 298-305; PNP, PHL-OTP-00236353-R01 at 0002-0003; PHL-OTP-00239459 at 0001-0003, PHL-OTP-00239573 at 0001-0003.
[1416] [REDACTED] at 0010, lines 310-312; [REDACTED] at 0007-0009, lines 208-247.
[1417] [REDACTED] at 0011-0013, lines 315-321, 402-415; PNP, PHL-OTP-00236353-R01 at 0002-0003, PHL-OTP-00239459 at 0002, PHL-OTP-00239573 at 0004, PHL-OTP-00036915 at 0127. *See also* PhilStar, PHL-OTP-00015262 (Translation PHL-OTP-00015361 at 0001); PHL-OTP-00235837.
[1418] PhilStar, PHL-OTP-00015262 (Translation PHL-OTP-00015361 at 0001); Video, PHL-OTP-00235833 (Transcript PHL-OTP-00250174; Translation PHL-OTP-00250208); PNP, PHL-OTP-00236353-R01 at 0001-0003, PHL-OTP-00239459 at 0002, PHL-OTP-00239573 at 0002-0004, PHL-OTP-00036915 at 0127; PHL-OTP-00235837.
[1419] PNP, PHL-OTP-00239459 at 0001-0004; PHL-OTP-00239573 at 0001, 0005-0006.
[1420] [REDACTED] at 0006, line 166, [REDACTED] at 0003-0006, lines 54-170, [REDACTED] at 0011-0019, lines 314-572, [REDACTED] at 0017, lines 557-566, [REDACTED]; [REDACTED] at 0009-0010, lines 275-300, [REDACTED] at 0002, lines 23-48, [REDACTED] at 0011-0015, lines 322-466, [REDACTED] at 0006-0007, 0010, lines 141-206 278-279; [REDACTED]; [REDACTED].
[1421] [REDACTED] at 0011-0012, lines 304-322, 334-359; [REDACTED] at 0009-0010, lines 275-300, [REDACTED] at 0002-0003, lines 29-48, [REDACTED] at 0011, lines 322-324; [REDACTED] at 0015, lines 443-446, [REDACTED] at 0017-0019, lines 525-531, 554-565, 575-604, [REDACTED] at 0013, line 404.

together.[1422] On orders from police officer [REDACTED] picked [REDACTED] up [REDACTED].[1423] Just before 01h00, a group of police officers handcuffed [REDACTED].[1424] [REDACTED] wrapped [REDACTED] head in packing tape, [REDACTED] strangled him with a wire killing him.[1425] They [REDACTED] Funeral Parlour in [REDACTED] received [REDACTED] pesos for the body which he split amongst the perpetrators.[1426] [REDACTED] was killed on or about [REDACTED] 2018.[1427] He was a child at the time of his death, aged approximately [REDACTED].[1428]

Incident 39: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug user [REDACTED], Bulacan.[1429]

280. [REDACTED], an alleged drug pusher/user, was killed during a OTBT operation on or about [REDACTED] 2018.[1430] [REDACTED] and two other police assets saw [REDACTED] buying *shabu*.[1431] They confronted him and forced him to [REDACTED].[1432] [REDACTED] was targeted after he had been [REDACTED].[1433] After taking [REDACTED] to the [REDACTED] and the [REDACTED] other assets went to [REDACTED] to report to [REDACTED].[1434] They told the [REDACTED] police assets to [REDACTED], and instructed [REDACTED] to [REDACTED],[1435] which he did along with [REDACTED].[1436] Later,

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[1422] [REDACTED] at 0018, 557-561; [REDACTED] at 0015, lines 440-446, [REDACTED] at 0018-0019, lines 586-604, [REDACTED] at 0014, lines 430-433; [REDACTED] at 0009-0010, lines 275-300; [REDACTED] at 0003, lines 53-58.
[1423] [REDACTED] at 0012-0013, lines 356-379; [REDACTED] at 0014, lines 406-423; [REDACTED] at 0002-0003, lines 33-45.
[1424] [REDACTED] at 0013-0014, 0016-0017, lines 378-434, 504-510; [REDACTED] at 0003-0004, lines 68-90.
[1425] [REDACTED] at 0006, lines 146-170, [REDACTED] at 0011-0012, 0014-0016, lines 318-337, 423-494; [REDACTED] at 0003-0005, lines 36-37, 89-98, 102-106.
[1426] [REDACTED] at 0006, lines 152-168, [REDACTED] at 0003-0004, lines 54-73; [REDACTED] at 0015, lines 456-465, [REDACTED] at 0014-0015, lines 449-476; [REDACTED] at 0003, lines 47-48.
[1427] [REDACTED] at 0009, lines 271-274.
[1428] [REDACTED] at 0011, 0018, lines 318-319, 541-544, [REDACTED] at 0005-0006, lines 137-144; [REDACTED] at 0021, lines 663-664.
[1429] [REDACTED] at 0007, lines 185-195, [REDACTED] at 0006-0015, lines 141-480, [REDACTED] at 0003, lines 58-77, [REDACTED] at 0017-0018, lines 543-552, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); [REDACTED] at 0012-0020, lines 363-652, [REDACTED] at 0005-0009, lines 133-274; GoPHL, PHL-OTP-0008-1294 at 0017, PHL-OTP-00000869 at 0060; Manila Bulletin, PHL-OTP-00015309; [REDACTED]; GoPHL, PHL-OTP-00092094; PNP, PHL-OTP-00232427-R01, PHL-OTP-00232428-R01, PHL-OTP-00232429-R01, PHL-OTP-00240134, PHL-OTP-00240223; PHL-OTP-00036915.
[1430] [REDACTED] at 0007, lines 185-186, [REDACTED] at 0006-0007, lines 138-158, 163-167, 176-182; GoPHL, PHL-OTP-00000869 at 0060; Manila Bulletin, PHL-OTP-00015309; GoPHL, PHL-OTP-00092094 at 0002; PNP, PHL-OTP-00232427-R01 at 0004-0005, PHL-OTP-00232428-R01 at 0004-0005; PHL-OTP-00232429-R01 at 0001-0003, PHL-OTP-00240134 at 0001-0002; PHL-OTP-00240223 at 0002-0003; PHL-OTP-00036915 at 0115-0116.
[1431] [REDACTED] at 0007, lines 176-195.
[1432] [REDACTED] at 0007, 0009-0010, lines 176-195, 250-278.
[1433] [REDACTED] at 0006-0007, lines 163-175.
[1434] [REDACTED] at 0010, lines 284-291.
[1435] [REDACTED] at 0008, lines 209-212.
[1436] [REDACTED] at 0012, 0014, lines 363-368, 422-433, [REDACTED] at 0005-0007, lines 133-140, 182-192.

[REDACTED] and officer [REDACTED] and told [REDACTED] that [REDACTED] would be killed the next day.[1437] [REDACTED].[1438] [REDACTED] told [REDACTED] because he was going to be killed.[1439]

281. On the day of the killing, [REDACTED] handcuffed [REDACTED], and left the [REDACTED] with [REDACTED] and several policemen.[1440] They [REDACTED] in [REDACTED].[1441] [REDACTED].[1442] [REDACTED].[1443] [REDACTED] was then shot and killed by officer [REDACTED].[1444] When [REDACTED] fell to the ground, [REDACTED] was ordered by [REDACTED] and [REDACTED] to plant *shabu*, money and a gun on him, which [REDACTED] had received from [REDACTED].[1445] Once they were sure [REDACTED].[1446] [REDACTED].[1447] The police falsely claimed [REDACTED] was killed when he shot at police during a buy-bust operation.[1448] NAPOLCOM dismissed the case against police officers involved in the incident on the basis that there was "no substantial evidence" and cited *inter alia* the "presumption of regularity".[1449]

Incident 40: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug thief [REDACTED] in or around [REDACTED], Bulacan.[1450]

[1437] [REDACTED] at 0008, 0010, lines 209-215, 293-299.
[1438] [REDACTED] at 0014-0015, lines 445-454.
[1439] [REDACTED] at 0012, 0014, lines 370-378, 438-441.
[1440] [REDACTED] at 0008, lines 219-223, 300-305; [REDACTED] at 0016-0018, lines 487-533, 581-591.
[1441] [REDACTED] at 0010-0011, lines 306-310, [REDACTED] at 0017-0018, lines 543-558; [REDACTED] at 0015, 0019, lines 473-476, 605-610; [REDACTED] at 0019, lines 587-588.
[1442] [REDACTED] at 0008, lines 225-229.
[1443] [REDACTED] at 0008, lines 228-232; [REDACTED] at 0019, lines 612-617.
[1444] [REDACTED] at 0008, 0011, lines 228-234, 335-340, [REDACTED] at 0003-0004, lines 58-83. *See also* [REDACTED] at 0002, lines 31-33; PNP, PHL-OTP-00240134 at 0001-0002; PHL-OTP-00240223 at 0001.
[1445] [REDACTED] at 0008, 0012, lines 234-235, 345-352; PHL-OTP-00232429-R01 at 0002. *See also* PNP, PHL-OTP-00240134 at 0002; PHL-OTP-00240223 at 0001, 0003.
[1446] [REDACTED] at 0008, 0012, lines 237-239, 353-372; PNP, PHL-OTP-00232429-R01 at 0002; PHL-OTP-00240134 at 0002; PHL-OTP-00240223 at 0003.
[1447] [REDACTED] at 0009, 0012-0013, lines 241, 373-379.
[1448] *See* Manila Bulletin, PHL-OTP-00015309; PHL-OTP-00232429-R01 at 0001-0003; PNP, PHL-OTP-00240134 at 0002; PHL-OTP-00240223 at 0003.
[1449] PNP, PHL-OTP-00240134 at 0001-0003; PHL-OTP-00240223 at 0001, 0004.
[1450] [REDACTED] at 0009, lines 246-274, [REDACTED] at 0011-0017, lines 329-527, [REDACTED] at 0017, lines 526-541, [REDACTED] at 0010, lines 290-291, [REDACTED] at 0023, lines 744-748, [REDACTED] at 0022-0023, lines 708-721, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); [REDACTED] at 0010, lines 302-330, [REDACTED] at 0002-0009, lines 15-268, [REDACTED] at 0003-0011, lines 54-268, 297-343; GMA, PHL-OTP-00000228 (Transcript PHL-OTP-00017742; Translation PHL-OTP-00017741), PHL-OTP-00091916; PhilStar, PHL-OTP-00015268 (Translation PHL-OTP-00015362); Interview with [REDACTED]; [REDACTED]; PNP, PHL-OTP-00239697-R01, PHL-OTP-00240132, PHL-OTP-00240221; GoPHL, PHL-OTP-00092094; PHL-OTP-00036915.

282. [REDACTED].[1451] [REDACTED].[1452] In advance of a OTBT operation, on or about [REDACTED] 2018,[1453] a group of police brought [REDACTED] to the COMPAC where he was detained, handcuffed, and [REDACTED].[1454] After [REDACTED], [REDACTED], [REDACTED] was removed from [REDACTED], handcuffed, and told by [REDACTED] that [REDACTED].[1455] He was [REDACTED].[1456] [REDACTED] covered [REDACTED] face and [REDACTED], after which officer [REDACTED] shot [REDACTED] in the chest and killed him.[1457] [REDACTED] planted *shabu*, money, a gun, [REDACTED] - all provided by the police - [REDACTED] body to frame him [REDACTED].[1458] [REDACTED].[1459] [REDACTED].[1460] PNP and related media reports referred to the false police narrative that [REDACTED] was a drug pusher who was shot dead by police after he had fought back during a buy-bust operation and also reported that a gun, [REDACTED], drugs, money [REDACTED] were recovered from the victim.[1461] In [REDACTED] 2018, Bulacan police announced as an "Accomplishment" that [REDACTED] was killed on [REDACTED] 2018 during a major operation on "illegal drugs and loose firearms", as part of its "intensified campaign against illegal drugs otherwise known as 'Project Double Barrel Reloaded' and all other forms of criminality."[1462]

[1451] [REDACTED] at 0010-0011, lines 299-328, [REDACTED] at 0023, lines 741-742.
[1452] [REDACTED] at 0009, lines 246-250, [REDACTED] at 0010, lines 290-291, [REDACTED] at 0011, [REDACTED] at 0023, lines 744-745; [REDACTED] at 0033, lines 1078-1085.
[1453] PNP, PHL-OTP-00239697-R01 at 0001, 0003, PHL-OTP-00240132 at 0002, PHL-OTP-00240221 at 0002; PHL-OTP-00036915 at 0107; PhilStar, PHL-OTP-00015362 at 0001.
[1454] [REDACTED] at 0011-0012, lines 329-370; [REDACTED] at 0010, lines 302-308, [REDACTED] at 0002, 0004-0006, 0009, lines 17-33, 83-86, 97-161, 265-268, [REDACTED] at 0003, lines 54-59; [REDACTED] at 0010, lines 281-291, [REDACTED] at 0002, lines 8-11; [REDACTED] at 0006-0009, lines 145-249, [REDACTED] at 0004-0005, lines 93-123.
[1455] [REDACTED] at 0012, lines 368-379; [REDACTED], 0009-0010, lines 252-275.
[1456] [REDACTED] at 0012-0013, lines 382-403, [REDACTED] at 0017, lines 526-541, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0004, lines 87-90); [REDACTED] at 0006-0008, lines 172-189, 209-215; PNP, PHL-OTP-00239697-R01 at 0001-0003, PHL-OTP-00240132 at 0002, PHL-OTP-00240221 at 0002.
[1457] [REDACTED] at 0009, lines 252-257, [REDACTED] at 0013-0014, lines 390-409, 418-441, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0007-0008, lines 199-226), [REDACTED] at 00:03 (Transcript [REDACTED]; Translation [REDACTED] at 0002-0003, lines 4-5, 56-69); [REDACTED] at 0002-0004, lines 34-35; GMA, PHL-OTP-00000228 (Translation PHL-OTP-00017741 at 0002, lines 2-7); PNP, PHL-OTP-00239697-R01 at 0001-0002, 0004, PHL-OTP-00240132 at 0001-0003, PHL-OTP-00240221 at 0001-0003.
[1458] [REDACTED] at 0013-0016, lines 411-414, 444-520, [REDACTED] at 0023, lines 747-748, [REDACTED] at 0022-0023, lines 708-721, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0007, lines 172-182, 0008, lines 227-230), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0004, lines 90-91); [REDACTED] at 0010-0011, lines 290-320; GMA News, PHL-OTP-00000228 (Translation PHL-OTP-00017741 at 0002, lines 4-7). *See also* PNP, PHL-OTP-00239697-R01 at 0003-0004, PHL-OTP-00240221 at 0003; GoPHL, PHL-OTP-00092094 at 0003.
[1459] [REDACTED] at 0016, lines 507-517.
[1460] [REDACTED] at 0015, lines 482-485, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0007, lines 229-231); PNP, PHL-OTP-00239697-R01 at 0002-0004, PHL-OTP-00240221 at 0003.
[1461] PNP, PHL-OTP-00239697-R01 at 0001-0004, PHL-OTP-00240132 at 0002-0003(, PHL-OTP-00240221 at 0003; GoPHL, PHL-OTP-00092094 at 0003; PhilStar, PHL-OTP-00015268 (Translation PHL-OTP-00015362 at 0001-0002); GMA, PHL-OTP-00000228 (Translation PHL-OTP-00017741 at 0002, lines 2-4), PHL-OTP-00091916 at 0001.
[1462] PNP, PHL-OTP-00036915 at 0107.

283. NAPOLCOM dismissed the case against police officers involved in the incident for alleged homicide, grave irregularity in the performance of duty, or grave neglect of duty, on the basis that there was "no substantial evidence to hold the respondents liable for the offences charged" and finding *inter alia* that "they are presumed to have performed their duties in a regular manner".[1463]

Incident 41: On or about [REDACTED] 2018, PNP personnel and non-police assets strangled and killed alleged drug user [REDACTED] in or around [REDACTED], Bulacan.[1464]

284. [REDACTED] was an alleged drug user and [REDACTED], who the police decided to kill after he [REDACTED].[1465] [REDACTED] instructed [REDACTED] and asset [REDACTED] to ask [REDACTED].[1466] [REDACTED] drugs together and then [REDACTED] attempted to [REDACTED].[1467] A group of police officers including [REDACTED] arrived at the location where [REDACTED] were smoking drugs, abducted [REDACTED] and took him [REDACTED].[1468] [REDACTED].[1469] [REDACTED].[1470] They [REDACTED], in or around [REDACTED], Bulacan, where [REDACTED].[1471]

[1463] PNP, PHL-OTP-00240132 at 0001-0003, PHL-OTP-00240221 at 0001, 0003-0004.

[1464] [REDACTED] at 0006, line 170, [REDACTED] at 0005-0006, lines 128-151, 163-172, [REDACTED] at 0002-0010, lines 28-270, [REDACTED] at 0002, lines 13-29, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0012, lines 336-349), [REDACTED] (Translation [REDACTED] at 0471); [REDACTED] at 0004, lines 87-91, [REDACTED] at 0003-0005, lines 98-133, [REDACTED] at 0005, lines 123-132, [REDACTED] at 0009-0019, lines 258-640, [REDACTED] at 0005, lines 127-128, [REDACTED] at 0741-0742, paras. 609-611; [REDACTED] at 0010-0011, lines 285-294, 297-306; [REDACTED] (Translation [REDACTED] at 0521); [REDACTED] at 0741-0742, paras. 609-611, [REDACTED]; Bulatlat, PHL-OTP-00015266; Rappler, PHL-OTP-00091940 at 0001-0002.

[1465] [REDACTED] at 0003-0006, lines 34-71, 127-145, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0012, lines 336-349); [REDACTED] at 0004-0005, lines 98-124; Rappler, PHL-OTP-00091940 at 0001-0002.

[1466] [REDACTED] at 0003, 0005-0006, lines 44-56, 127-145; [REDACTED] at 0004-0005, lines 98-104.

[1467] [REDACTED] at 0003, lines 44-71, [REDACTED] at 0002, lines 13-29; [REDACTED] at 0004-0005, lines 98-124.

[1468] [REDACTED] at 0004, 0006-0008, lines 75-76, 140-213; [REDACTED] at 0005, line 126. *See also* [REDACTED]; Rappler, PHL-OTP-00091940 at 0001.

[1469] [REDACTED] at 0004, 0008-0009, lines 75-86, 235-240, [REDACTED] at 0002, lines 13-29; [REDACTED] at 0010-0011, lines 297-306. Under Philippine law, gambling is legal at a funeral wake, so a practice developed of selling bodies to funeral homes to permit gambling events. *See* [REDACTED] at 0005-0006, lines 128-151.

[1470] [REDACTED] at 0008-0009, lines 215-245; [REDACTED] at 0005, lines 131-133, [REDACTED] at 0005, lines 127-128; [REDACTED] (Translation [REDACTED] at 0521); [REDACTED] at 0010, lines 285-294; [REDACTED] at 0741-0742, paras. 609-611. *See also* Rappler, PHL-OTP-00091940 at 0001-0002.

[1471] [REDACTED] at 0006, lines 163-172, [REDACTED] (Translation [REDACTED] at 0471), [REDACTED] at 0004-0005, 0009-0010, lines 98-121, 246-270; [REDACTED] at 0004, lines 87-91; Rappler, PHL-OTP-00091940 at 0002. *See also* Bulatlat, PHL-OTP-00015266.

Incident 42: In the days following [REDACTED] 2018, PNP personnel shot and killed a male alleged drug user FNU LNU [REDACTED], in [REDACTED], Bulacan.[1472]

285. [REDACTED] told [REDACTED] the victim was a drug user.[1473] [REDACTED].[1474] There, police officers, including [REDACTED] and [REDACTED], abducted the target.[1475] [REDACTED] handcuffed him and the victim was taken [REDACTED].[1476] At about 23h00 or midnight, [REDACTED] brought the victim [REDACTED] to the intended crime scene [REDACTED].[1477] [REDACTED] and covered his head.[1478] [REDACTED] shot and killed him.[1479] [REDACTED] planted *shabu* and a gun on the body (given to him by the police),[1480] and [REDACTED].[1481]

Incident 44: On or about [REDACTED] 2018, PNP personnel shot and killed alleged [REDACTED] thief [REDACTED] in or around *Barangay* [REDACTED], Bulacan.[1482]

286. The police alleged that [REDACTED] was a [REDACTED] thief and detained him [REDACTED] prior to his murder.[1483] A group of police officers and non-police assets staged the killing to look as though [REDACTED] was shot following an armed encounter, after having tried to sell a stolen [REDACTED] to undercover police officers, [REDACTED].[1484]

[1472] [REDACTED] at 0019, lines 592-605, [REDACTED] at 0002-0008, lines 16-225; [REDACTED] at 0006-0007, lines 159-192, [REDACTED] at 0005-0006, lines 134-152.
[1473] [REDACTED] at 0002-0003, 0005, lines 26-41, 116-119.
[1474] [REDACTED] at 0002, 0005, lines 26-35, 116-119; [REDACTED] at 0006, lines 159-165, [REDACTED] at 0002-0003, lines 26-33.
[1475] [REDACTED] at 0003, lines 37-64; [REDACTED] at 0003-0005, lines 40-152.
[1476] [REDACTED] at 0003, 0007-0008, lines 49-50, 64, 206-214; [REDACTED] at 0004, lines 86-94.
[1477] [REDACTED] at 0019, lines 592-605, [REDACTED] at 0003-0004, 0006, lines 66-82, 139-148; [REDACTED] at 0007, lines 189-192, [REDACTED] at 0006, lines 149-152.
[1478] [REDACTED] at 0004, 0008, lines 82-90, 219-222.
[1479] [REDACTED] at 0004, 0006-0008, lines 92-95, 164-170, 196-205, 223-228.
[1480] [REDACTED] at 0007, lines 175-184.
[1481] [REDACTED] at 0004, lines 101-103.
[1482] [REDACTED] at 0010-0017, lines 289-290, 313-536; [REDACTED] at 0005-0006, lines 109-130, 145-151, [REDACTED] at 0002-0008, lines 25-36, 105-110, 166-238, [REDACTED] at 0009-0010, lines 276-283, [REDACTED] at 0013-0014, lines 401-433, [REDACTED] at 0007-0009, lines 173-189, 207-263; [REDACTED] at 0005, 0012-0014, 0016, lines 125-138, 357-374, 410-449, 484-510; GMA, PHL-OTP-0001-4426 (Transcript PHL-OTP-00019386; Translation PHL-OTP-0007-0934 at 0003, lines 2-11), PHL-OTP-00235851 at 0001; [REDACTED] entry in row [REDACTED]; PhilStar, PHL-OTP-00091918 at 0001; ABS-CBN News, PHL-OTP-00091920 (Translation PHL-OTP-00092022); PNP, PHL-OTP-00236341 at 0001-0002, PHL-OTP-00092095 at 0001-0010, 0012-0016, 0018; GoPHL, PHL-OTP-00092094 at 0003; PHL-OTP-00235849.
[1483] [REDACTED] at 0011-0012, lines 313-314, 361-367; GMA, PHL-OTP-0001-4426 (Transcript PHL-OTP-00019386 at 0002; Translation PHL-OTP-0007-0934 at 0003, lines 2-6); [REDACTED] at 0005, lines 109-130, [REDACTED] at 0002-0006, lines 25-36, 105-110,166-180; [REDACTED] at 0009-0010, lines 276-283, [REDACTED] at 0007, lines 173-179, 186-189; [REDACTED] at 0005, 0012-0014, 0016, lines 125-138, 357-374, 410-449, 484-510; PNP, PHL-OTP-00092095 at 0003, 0007.
[1484] [REDACTED] at 0011-0013, 0016-0017, lines 345-374, 502-516, 528-536; [REDACTED] at 0006, lines 145-151, [REDACTED] at 0006-0008, lines 178-238, [REDACTED] at 0013-0014, lines 401-433, [REDACTED] at 0007-0009, lines 183-189, 207-263; GMA, PHL-OTP-0001-4426 (Transcript PHL-OTP-00019386 at 0002; Translation PHL-OTP-0007-0934

[REDACTED][1485] [REDACTED] held [REDACTED] down and, as soon as he let go, [REDACTED] subordinate police officers shot and killed [REDACTED].[1486] [REDACTED] then planted money, *shabu*, and a gun on his body, which he had received from [REDACTED] and [REDACTED].[1487] The memorandum submitted by the [REDACTED] participating police elements "be given awards for their selfless devotion to duty, alertness and presence of mind which resulted in the preservation of life, property and Died in Police Operation of the suspect".[1488]

Incident 45: Between around [REDACTED] 2018, PNP personnel strangled and killed an alleged thief FNU LNU [REDACTED] in or around [REDACTED], Bulacan. The victim was a male child, aged approximately [REDACTED].[1489]

287. [REDACTED] and [REDACTED] ordered [REDACTED] to abduct [REDACTED], a child [REDACTED],[1490] for alleged theft [REDACTED].[1491] [REDACTED] and [REDACTED] found [REDACTED] and took him [REDACTED].[1492] A group of police officers arrived at about 00h30 and instructed [REDACTED] to handcuff [REDACTED] and they loaded him [REDACTED], where [REDACTED] wrapped packaging tape around his head so he could not scream.[1493] [REDACTED] strangled the child to death [REDACTED] by twisting wire around his neck.[1494] They [REDACTED] Funeral Parlour, where [REDACTED]

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at 0003, lines 2-11), PHL-OTP-00235851 at 0001; [REDACTED] at 0016-0017, lines 515-520; [REDACTED], entry in row [REDACTED]; PhilStar, PHL-OTP-00091918 at 0001; ABS-CBN News, PHL-OTP-00091920 (Translation PHL-OTP-00092022)"); PNP, PHL-OTP-00092095 at 0001-0005, 0007, 0010, 0014-0016, PHL-OTP-00236341 at 0001-0002.

[1485] [REDACTED] at 0010-0013, 0015-0016, lines 289-290, 315-320, 326-355, 378-385, 474-495; [REDACTED] at 0006, lines 149-151; GMA, PHL-OTP-0001-4426 (Transcript PHL-OTP-00019386 at 0002; Translation PHL-OTP-0007-0934 at 0003, line 2).

[1486] [REDACTED] at 0011-0014, lines 319-320, 372-374, 386-446. *See also* PHL-OTP-00235849; GMA, PHL-OTP-00235851 at 0001; PNP, PHL-OTP-00092095 at 0001-0010, 0012-0016, 0018, PHL-OTP-00236341 at 0001.

[1487] [REDACTED] at 0011, 0015, lines 319-320, 459-470; PhilStar, PHL-OTP-00091918 at 0001. *See also* PHL-OTP-00092095 at 0001-0016; GoPHL, PHL-OTP-00092094 at 0003.

[1488] PNP, PHL-OTP-00092095 at 0003, 0006, 0018.

[1489] [REDACTED] at 0003-0006, lines 54-170, [REDACTED] at 0013-0021, lines 385-666; [REDACTED] at 0008-0009, lines 234-271, [REDACTED] at 0003-0004, 0007-0009, lines 40-71, 183-255, [REDACTED] at 0010, lines 278-279; [REDACTED].

[1490] [REDACTED] at 0016, lines 489-491, [REDACTED] at 0006, lines 142-144; [REDACTED] at 0021, lines 665-666, [REDACTED] at 0016, lines 491-494.

[1491] [REDACTED] at 0016, lines 492-495; [REDACTED] at 0015-0018, lines 476-490, 525-531, 566-586; [REDACTED] at 0008-0009, lines 248-254.

[1492] [REDACTED] at 0013-0014, lines 400-418, 0017, lines 507-540; [REDACTED] at 0015, lines 447-450, [REDACTED] at 0015-0016, lines 476-496, [REDACTED] at 0014, lines 424-433.

[1493] [REDACTED] at 0014-0015, 0018-0019, lines 427-457, 549-575, 593-601.

[1494] [REDACTED] at 0004, lines 93-106, [REDACTED] at 0015, 0019, lines 460-468, 577-591; [REDACTED] at 0004, lines 89-92.

received [REDACTED] pesos for the body, which he split amongst the perpetrators.[1495] [REDACTED] was killed between around [REDACTED] 2018.[1496]

Incident 46: On or about [REDACTED], PNP personnel and a non-police hitman shot and killed alleged drug user [REDACTED] and shot, suffocated and killed alleged drug user [REDACTED], in or around [REDACTED], Bulacan.[1497]

288. [REDACTED] and [REDACTED] were kidnapped by a group of police officers and assets in or around [REDACTED],[1498] on or about [REDACTED] 2018,[1499] after they had been implicated in the alleged sale and use of drugs.[1500] They were brought [REDACTED], where they were [REDACTED].[1501] After [REDACTED] was informed by [REDACTED] and [REDACTED] that the two [REDACTED] "were going to be killed".[1502] On or about 30 May 2018,[1503] both were [REDACTED] and brought to a secluded location in [REDACTED].[1504] [REDACTED] and [REDACTED] covered the victims' heads.[1505] Officer [REDACTED] shot

[1495] [REDACTED] at 0003, lines 54-70, [REDACTED] at 0015-0016, 0019-0020, lines 468-477, 602-638; [REDACTED] at 0015, lines 447-461, [REDACTED] at 0014-0016, lines 449-478, 498; [REDACTED] at 0009, lines 263-268.
[1496] Incident occurred around [REDACTED] after Incident 38. *See* [REDACTED] at 0017, lines 544-549; [REDACTED] at 0009, lines 271-274; *see also* [REDACTED] at 0003, lines 40-50.
[1497] [REDACTED] at 0009-0023, lines 267-747, [REDACTED] at 0019-0021, lines 586-663, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]), [REDACTED] (Transcript [REDACTED]; Translation [REDACTED]); [REDACTED] at 0004-0005, lines 98-142, [REDACTED] at 0002-0006, 0012, lines 25-150, 331-346, [REDACTED] at 0009-0013, lines 46-398; [REDACTED]; [REDACTED] (Translation [REDACTED]); [REDACTED]; [REDACTED]; [REDACTED]; Rappler, PHL-OTP-00091940; GoPHL, PHL-OTP-00092094; PNP, PHL-OTP-00232425-R01, PHL-OTP-00240112, PHL-OTP-00240204; [REDACTED], PHL-OTP-00235819; PHL-OTP-00036915.
[1498] [REDACTED] at 0009-0013, lines 267-273, 289-334, 356-381, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0004, lines 90-94); [REDACTED] at 0012, lines 349-358; [REDACTED] at 0648-0649, para. 118; [REDACTED] at 0034, para. 158; [REDACTED] at 0006, para. 26; [REDACTED] at 0005-0006, paras 23-25, 27; Rappler, PHL-OTP-00091940 at 0003.
[1499] [REDACTED] at 0005, paras 18-20; Rappler, PHL-OTP-00091940 at 0004; [REDACTED], PHL-OTP-00235819 at 0001, 0003.
[1500] [REDACTED] at 0010, 0012, lines 283-289, 349-351; [REDACTED] at 0005-0006, lines 132-141; Rappler, [REDACTED] at 0002; GoPHL, PHL-OTP-00249320-R01 at 0001; PHL-OTP-00249315 at 0001; GoPHL, PHL-OTP-00092094 at 0003; PHL-OTP-00240112 at 0001-0002; PHL-OTP-00240204 at 0003.
[1501] [REDACTED] at 0012-0013, 0017, lines 369, 384-398, 523-535, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 14-18); [REDACTED] at 0004-0006, lines 98-113, 122-128, 141-142, [REDACTED] at 0010, lines 289-311; [REDACTED] at 0649, para. 119; [REDACTED] at 0005, 0007-0012, lines 122-125, 192-221, 230-238, 249-273, 285-356; Rappler, PHL-OTP-00091940 at 0003; [REDACTED], PHL-OTP-00235819 at 0001.
[1502] [REDACTED] at 0013, 0017, lines 406, 536-539.
[1503] PNP, PHL-OTP-00232425-R01 at 0001; PHL-OTP-00240112 at 0001; PHL-OTP-00240204 at 0002; Rappler, PHL-OTP-00091940 at 0004; [REDACTED]rtem report, PHL-OTP-00235819 at 0001, 0003; PHL-OTP-00036915 at 0056.
[1504] [REDACTED] at 0014, 0018, lines 417-427, 562-581, [REDACTED] at 0019-0021, lines 586-628, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 8-11); [REDACTED] at 0005, lines 112-113, [REDACTED] at 0005, lines 114-122; [REDACTED] at 0649, para. 119; GoPHL, PHL-OTP-00249320-R01 at 0001; PHL-OTP-00249315 at 0001; PNP, PHL-OTP-00232425-R01 at 0001-0003; PHL-OTP-00240112 at 0001; PHL-OTP-00240204 at 0002-0003.
[1505] [REDACTED] at 0014, lines 429-431.

and killed [REDACTED].[1506] [REDACTED] then shot [REDACTED], acting on [REDACTED] instructions, suffocated and killed him [REDACTED].[1507] The group planted drugs, money and a gun on the body of one victim, to make him look like a drug pusher, and [REDACTED] on the second victim, to make him look like a [REDACTED] thief and to fabricate a *nanlaban* scenario.[1508] This incident was part of a OTBT operation,[1509] and [REDACTED].[1510]

289. NAPOLCOM dismissed the case against police officers involved in the incident on the basis that there was "no substantial evidence" and cited the "presumption of regularity".[1511]

Incident 47: On or about [REDACTED] 2018, PNP personnel shot and killed alleged drug pusher [REDACTED] in or around [REDACTED], Bulacan.[1512]

290. [REDACTED] reported [REDACTED] to the police for selling *shabu.*[1513] [REDACTED] and a group of police assets and officers, including [REDACTED], and [REDACTED], forcibly entered [REDACTED] at nightfall, where [REDACTED] and [REDACTED] handcuffed him and covered his eyes, and then [REDACTED] shot and killed him.[1514] [REDACTED] verified that the victim was dead and planted a gun on him to fabricate

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[1506] [REDACTED] at 0014-0015, 0019-0020, lines 434-447, 608-621, [REDACTED] (Transcript [REDACTED]; Translation PHL-OTP-00001753 at 0002-0003, lines 26-65); [REDACTED] at 0649, para. 120; [REDACTED] at 0002, 0012, lines 14-17, 25, 338-351; [REDACTED] at 0006, paras 25, 27, [REDACTED]; [REDACTED] at 0005, para. 20. *See also* GoPHL, PHL-OTP-00249320-R01 at 0001; PHL-OTP-00249315 at 0001; PNP, PHL-OTP-00232425-R01 at 0001-0003; PHL-OTP-00240112 at 0001-0003; PHL-OTP-00240204 at 0001-0003; [REDACTED], PHL-OTP-00235819 at 0001, 0003.

[1507] [REDACTED] at 0015, 0020-0021, lines 449-460, 622-668, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002-0003, lines 26-65); [REDACTED] at 0005, lines 128-139; [REDACTED] at 0649, para. 120; [REDACTED] at 0003, lines 60-64, [REDACTED] at 0002-0003, lines 14-17, 25-62; [REDACTED] at 0005, para. 20; [REDACTED] at 0001; PNP, PHL-OTP-00232425-R01 at 0001-0003; PHL-OTP-00240112 at 0001-0003; PHL-OTP-00240204 at 0001-0002.

[1508] [REDACTED] at 0013-0014, 0017-0018, 0021-0022, lines 409-412, 440-442, 541-561, 669-703, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0004, lines 78-79); [REDACTED] at 0005, lines 126-127, [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, lines 2-7, 12-15); [REDACTED] at 0017, lines 516-525, 534-536, [REDACTED] at 0017, lines 526-537; [REDACTED] at 0007, paras 31-32, [REDACTED] at 0001, [REDACTED] at 0001; PNP, PHL-OTP-00232425-R01 at 0002-0004, PHL-OTP-00240112 at 0002, PHL-OTP-00240204 at 0003; GoPHL, PHL-OTP-00092094 at 0003.

[1509] [REDACTED] at 0648-0649, paras. 118-119; [REDACTED] at 0034, para. 158; [REDACTED] (Transcript [REDACTED]; Translation [REDACTED] at 0002, line 20); [REDACTED] at 0011, 0013, 0017, lines 303-315, 395-403, 525-527; [REDACTED] at 0056.

[1510] [REDACTED] at 0036, paras. 168-170, [REDACTED] (Translation [REDACTED]); Rappler, PHL-OTP-00091940 at 0002-0003.

[1511] PHL-OTP-00240112 at 0001-0003, PHL-OTP-00240204 at 0001, 0003.

[1512] [REDACTED] at 0009-0013, 0017-0018, lines 244-397, 518-570; PNA, PHL-OTP-00017645; [REDACTED], row [REDACTED]; PhilStar, PHL-OTP-00017643, PHL-OTP-00045009 (Translation PHL-OTP-00248787); PNP, PHL-OTP-00236344, PHL-OTP-00092098, PHL-OTP-00239463; [REDACTED], Tab DATASET, row 3659.

[1513] [REDACTED] at 0009, lines 244-265. *See also* PhilStar, PHL-OTP-00017643 at 0001; PNA, PHL-OTP-00017645 at 0001; [REDACTED], row [REDACTED] *see also* PNP, PHL-OTP-00092098 at 0003, 0007.

[1514] [REDACTED] at 0009-0013, lines 265-302, 307-320, 339-352, 393-397; PNP, PHL-OTP-00236344 at 0001-0002, PHL-OTP-00092098 at 0001, 0003-0012, 0014-0018, PHL-OTP-00239463 at 0001-0004; PhilStar, PHL-OTP-00045009 (Translation PHL-OTP-00248787); [REDACTED], row [REDACTED].

a *nanlaban* scenario.[1515] The gun, which had been fired ahead of the operation, had been given to [REDACTED] by [REDACTED].[1516] [REDACTED].[1517]

291. NAPOLCOM dismissed the case against police officers involved in the incident for alleged homicide, grave irregularity in the performance of duty, or grave neglect of duty, on the basis that there was "no substantial evidence to hold the respondents liable for the offences charged" and stating *inter alia* that "the respondent are presumed to have performed their duties in a regular manner".[1518]

iii. Calabarzon (Region 4-A)

292. Region 4-A, or Calabarzon, consists of four provinces and has a population of approximately 14.4 million people.[1519] It is the second most densely populated region in the Philippines next to NCR.[1520] Region 4-A is the area of responsibility of the PRO-4A.[1521] During the Presidential Period, the Directors of Region 4-A were: Valfrie G. TABIAN (June 2016-February 2017);[1522] Ma. O APLASCA (February 2017-April 2018);[1523] Guillermo ELEAZAR (April 2018–May 2018);[1524] and Edward E. CARRANZA (June 2018-October 2019).[1525] Based on data from [REDACTED], at least [REDACTED] people died in police anti-illegal drug operations in Region 4-A during the charged period, including the victim of Incident 53.[1526] Charged Incident 53 took place in Region 4-A in the [REDACTED].

a) City of [REDACTED], Region 4-A (Incident 53)

[1515] [REDACTED] at 0011-0012, lines 320-323, 355-362; PhilStar, PHL-OTP-00017643 at 0001; PNA, PHL-OTP-00017645 at 0001; [REDACTED], entry in row [REDACTED]; PNP, PHL-OTP-00092098 at 0001-0012, 0014-0017; PhilStar, PHL-OTP-00045009 (Translation PHL-OTP-00248787).
[1516] [REDACTED] at 0012-0013, lines 364-379.
[1517] PNP, PHL-OTP-00092098 at 0003, 0006, 0018.
[1518] PNP, PHL-OTP-00239463 at 0001-0004.
[1519] PHL-OTP-0003-1955 at 0011-0012.
[1520] PHL-OTP-0003-1955 at 0010-0012.
[1521] *See* Annex B.1.
[1522] PHL-OTP-00088993 at 0005.
[1523] PHL-OTP-00088995 at 0005.
[1524] PNP, PHL-OTP-00239367 at 0004.
[1525] PHL-OTP-00089013 at 0005.
[1526] This number is based on the [REDACTED] dataset, in relation to police drug operations conducted from July 2016 to November 2017, and therefore does not reflect all deaths in police operations in Region 4-A during the entirety of the charged period, *see* [REDACTED], PHL-OTP-00250125 at 0005.

293. The murder charged in the [REDACTED] was a multi-agency operation involving PDEA and police from AIDG, [REDACTED]. It was conducted at [REDACTED].[1527] This incident is primarily evidenced by [REDACTED].

Incident 53: On or about [REDACTED], AIDG members shot and killed alleged drug pusher [REDACTED] and [REDACTED][1528] at [REDACTED].[1529]

294. [REDACTED] was listed on the [REDACTED] watchlist.[1530] [REDACTED] told [REDACTED] that they had [REDACTED] to neutralise [REDACTED].[1531] [REDACTED] called [REDACTED] so that [REDACTED] this.[1532] [REDACTED] ordered [REDACTED] not to arrest [REDACTED].[1533] Pursuant to a search warrant,[1534] a multiagency operation,

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[1527] [REDACTED] at 0022, line 800, [REDACTED] at 0012, lines 415-416, [REDACTED] at 0024, lines 857-878, [REDACTED] at 0007-0008, 0010, 0012-0022; PNP, PHL-OTP-00000155 at 0075; BADAC, PHL-OTP-00092399 at 0001, PHL-OTP-00240391 at 0001, PHL-OTP-00240392 at 0002; GMA, PHL-OTP-00092866 at 0001; Pressreader, PHL-OTP-00092871 at 0002; PTV, PHL-OTP-00092876.
[1528] Alternative spelling: [REDACTED].
[1529] [REDACTED] at 0017, 0022, lines 616-620, 800, [REDACTED] at 0008-0013, lines 254-264, 300-309, 331-339, 356-376, 380-396, 404-406, 415-416, 421-423, 458-468, 491-517, [REDACTED] at 0002-0003, lines 17-82, [REDACTED] at 0008, 0017, 0018-0022, 0024-0025, 0027-0028, 0030-0032, lines 237-243, 599-627, 650-667, 684-720, 727-728, 736-762, 776-814, 857-878, 886-891, 998-1028, 1107-1149, 1176-1177. [REDACTED] at 0001, paras. 14-15, [REDACTED] at 0002, paras. 8-9, 11, 13, [REDACTED] at 0001-0002, paras. 1, 11, [REDACTED] at 0001, paras. 1, [REDACTED] at 0001, paras. 1, 6-7, [REDACTED] at 0001-0002, paras. 1, 11, [REDACTED] (Translation [REDACTED] at 0002, para. 9), [REDACTED] (Translation [REDACTED] at 0001-0002, paras. 5-15), [REDACTED] (Translation [REDACTED] at 0001-0003, paras. 2-8, 10-15), [REDACTED] (Translation [REDACTED] at 0001-0003, paras. 5-15), [REDACTED] at 0003, [REDACTED] at 0001, [REDACTED] at 0001, [REDACTED] at 0001-0002, [REDACTED] at 0002, 0007-0008, 0010, 0012-0022, [REDACTED] at 0001, [REDACTED] (Translation [REDACTED]), [REDACTED] at 0001, paras. 18-21, [REDACTED] at 0001; [REDACTED] at 0022-0024, 0030-0031, lines 725-750, 785-787, 1009-1021, [REDACTED] at 0018-0019, lines 600-614; BADAC, PHL-OTP-00092398, PHL-OTP-00092399 at 0001; Office of the *Barangay* Chairman, PHL-OTP-00092397 at 0001; PNP, PHL-OTP-00000155 at 0075, PHL-OTP-00092111 at 0024, PHL-OTP-00092401, PHL-OTP-00092402, PHL-OTP-00092403, PHL-OTP-00092404, PHL-OTP-00092405, PHL-OTP-00092406, PHL-OTP-00092409, PHL-OTP-00092991, *in particular* at 0003, PHL-OTP-00236427 at 0003, PHL-OTP-00240391 at 0001-0002, 0006, PHL-OTP-00240392 at 0002, 0006, PHL-OTP-00239677 at 0003; [REDACTED], PHL-OTP-00092978; [REDACTED], row [REDACTED], columns [REDACTED]; [REDACTED], PHL-OTP-00092417; PhilStar, PHL-OTP-00092864 at 0001; GMA, PHL-OTP-00092866 at 0001; Pressreader, PHL-OTP-00092871 at 0001-0002; PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 3-19), PHL-OTP-00092974 (Translation PHL-OTP-00093099), PHL-OTP-00092876; Inquirer, PHL-OTP-00247623 at 0113; ABS-CBN, PHL-OTP-00092875 (Transcript PHL-OTP-00093042; Translation PHL-OTP-00093051 at 0002), PHL-OTP-00092979 at 0001, PHL-OTP-00092976 at 0001, PHL-OTP-00092977; PHL-OTP-0001-2369 at 2454; [REDACTED], PHL-OTP-00092878 at 0001-0005.
[1530] BADAC, PHL-OTP-00092398.
[1531] [REDACTED] at 0002-0003, lines 29-30, [REDACTED] at 0017, lines 616-620, [REDACTED] at 0001, para. 14, [REDACTED] at 0002, para. 8, [REDACTED] at 0001. *See also* PNP, PHL-OTP-00236427 at 0003.
[1532] [REDACTED] at 0002-0003, lines 17-42, [REDACTED] at 0017, lines 608-627, [REDACTED] at 0001, para. 15, [REDACTED] at 0002, para. 9, [REDACTED] (Translation [REDACTED]).
[1533] [REDACTED] at 0017, lines 621-627, [REDACTED] at 0001, para. 14, [REDACTED] at 0002, para. 9.
[1534] [REDACTED]; Office of the *Barangay* Chairman, PHL-OTP-00092397 at 0001; PNP, PHL-OTP-00000155 at 0074-0075, PHL-OTP-00092401, PHL-OTP-00092402, PHL-OTP-00092409; [REDACTED] at 0010, lines 331-339, [REDACTED] at 0002, para. 11, [REDACTED] at 0001, para. 1, [REDACTED] at 0002, para. 11, [REDACTED] at 0001-0002, [REDACTED] at 0002; [REDACTED], column [REDACTED]; PhilStar, PHL-

including AIDG units, PDEA, and police from [REDACTED], was conducted at [REDACTED] in the city of [REDACTED].[1535] [REDACTED] and [REDACTED], allegedly involved in drug offences,[1536] were handcuffed with their hands behind their backs, laying on the ground, unarmed.[1537] [REDACTED][1538] [REDACTED] and shot [REDACTED] in the back, killing him.[1539] [REDACTED] then removed the handcuffs, planted a gun [REDACTED].[1540] [REDACTED], but was then shot and killed[1541] by [REDACTED].[1542] [REDACTED],[1543] and *shabu* planted on [REDACTED].[1544] The presence of media personnel

OTP-00092864 at 0001; GMA, PHL-OTP-00092866 at 0001; PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 6-12).

[1535] [REDACTED] at 0022, line 800, [REDACTED] at 0012, lines 415-416, [REDACTED] at 0020, 0024, lines 727-728,857-878, [REDACTED] at 0001, para. 1, [REDACTED] at 0001, para. 1, [REDACTED] at 0001, para. 1, [REDACTED] at 0001, para. 1, [REDACTED] at 0001, [REDACTED] at 0007-0008, 0010, 0012-0022; PNP, PHL-OTP-00000155 at 0075, PHL-OTP-00240391 at 0001-0002, PHL-OTP-00240392 at 0002; BADAC, PHL-OTP-00092399 at 0001; GMA, PHL-OTP-00092866 at 0001; Pressreader, PHL-OTP-00092871 at 0002; PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 6-10), PHL-OTP-00092876; ABS-CBN, PHL-OTP-00092979 at 0001; [REDACTED]; PhilStar, PHL-OTP-00092864 at 0001.

[1536] [REDACTED] (Translation [REDACTED] at 0002, para. 9), [REDACTED] (Translation [REDACTED] at 0001-0002, paras. 5-15), [REDACTED] (Translation [REDACTED] at 0001-0003, paras. 2-8, 10-15), [REDACTED] (Translation [REDACTED] at 0001-0003, paras. 5-15), [REDACTED] at 0003, [REDACTED] at 0001; [REDACTED] at 0030-0031, lines 1009-1021; BADAC, PHL-OTP-00092399 at 0001; PHL-OTP-0001-2369 at 2454; PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 3-7); Inquirer, PHL-OTP-00247623 at 0113; Pressreader, PHL-OTP-00092871 at 0002. *See also* Supreme Court, [REDACTED], PHL-OTP-00092878.

[1537] [REDACTED] at 0009-0012, lines 300-309, 356-376, 390-391, 404-406, [REDACTED] at 0018-0019, lines 650-659, 685-686, [REDACTED] at 0002, para. 11; [REDACTED] at 0022-0023, lines 725-737.

[1538] For the [REDACTED], *see* [REDACTED] at 0008, lines 237-243; PNP, PHL-OTP-00092111 at 0024, PHL-OTP-00092991, *in particular* at 0003.

[1539] [REDACTED] at 0009, 0011, lines 300-304, 380-385, [REDACTED] at 0018, 0027, lines 659-663, 987-997, [REDACTED] at 0001, para. 18, [REDACTED] at 0001, [REDACTED] at 0002, para. 11; [REDACTED] at 0022-0023, lines 725-750; [REDACTED], row [REDACTED], columns [REDACTED]; PTV, PHL-OTP-00092974 (Translation PHL-OTP-00093099); ABS-CBN, PHL-OTP-00092979 at 0001, PHL-OTP-00092976 at 0001, PHL-OTP-00092977. *See also* PHL-OTP-0001-2369 at 2454; Inquirer, PHL-OTP-00247623 at 0113.

[1540] [REDACTED] at 0009, 0011, lines 304-306, 385-388, [REDACTED] at 0018, 0022, 0024-0025, 0027, lines 662-663, 802-814, 886-891,995-998, [REDACTED] at 0001, para. 18; [REDACTED] at 0018-0019, lines 600-614; PNP, PHL-OTP-00092402.

[1541] [REDACTED] at 0009, 0011-0012, lines 306-309, 388-396, [REDACTED] at 0018-0020, 0027-0028, lines 663-667, 684-720, 998-1014, [REDACTED] at 0001, para. 19; PhilStar, PHL-OTP-00092864 at 0001; GMA, PHL-OTP-00092866 at 0001; Pressreader, PHL-OTP-00092871 at 0002; PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 12). *See also* [REDACTED] at 0024, lines 785-787.

[1542] For [REDACTED], *see* PNP, PHL-OTP-00092402 at 0001, para. 5. Alternative spelling: [REDACTED].

[1543] [REDACTED]. *See* PNP, PHL-OTP-00000155 at 0075, PHL-OTP-00092401, PHL-OTP-00092403, PHL-OTP-00092404, PHL-OTP-00092405, PHL-OTP-00092406; Office of the *Barangay* Chairman, PHL-OTP-00092397 at 0001; PHL-OTP-00092409; BADAC, PHL-OTP-00092399 at 0001; [REDACTED]; Pressreader, PHL-OTP-00092871 at 0001-0002; ABS-CBN, PHL-OTP-00092875 (Transcript PHL-OTP-00093042; Translation PHL-OTP-00093051 at 0002); PTV, PHL-OTP-00092870 (Transcript PHL-OTP-00093041; Translation PHL-OTP-00093050 at 0002, lines 6-19).

[1544] [REDACTED] at 0020-0022, 0027-0028, lines 736-762, 776-800, 1000-1028; [REDACTED] PHL-OTP-00092417; PhilStar, PHL-OTP-00092864 at 0001.

[REDACTED] police and [REDACTED],[1545] who was later [REDACTED].[1546] [REDACTED] told [REDACTED][1547] A [REDACTED] reward was paid to [REDACTED] for the murder of [REDACTED].[1548]

295. The PNP report falsely stated that [REDACTED] and [REDACTED] were killed in self-defence.[1549] Following the opening of an investigation into the incident, the PNP IAS ultimately found the respondents, [REDACTED], not guilty of grave misconduct (homicide).[1550]

VIII. CONCLUSION

296. The evidence summarised in this Brief, in addition to the evidence to be adduced during the course of the trial, will prove beyond reasonable doubt that **DUTERTE** is criminally responsible for Counts 1 to 3.

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 20th day of October 2026

At The Hague, the Netherlands

[1545] [REDACTED] at 0013, lines 458-468, [REDACTED] at 0003, lines 64-76, [REDACTED] at 0001, para. 20, PHL-OTP-00092370 at 0002, para. 13.
[1546] [REDACTED] at 0002-0003, lines 64-82, [REDACTED] at 0001, para. 20, [REDACTED] at 0002, para. 13.
[1547] [REDACTED] at 0032, lines 1176-1177, [REDACTED] at 0001, para. 20, [REDACTED] at 0002, para. 13.
[1548] [REDACTED] at 0008, 0014-0015, lines 254-264, 491-517, [REDACTED] at 0030-0031, lines 1107-1149, [REDACTED] at 0001, para. 21, [REDACTED] (Translation [REDACTED]).
[1549] PNP, PHL-OTP-00239677 at 0003; [REDACTED] at 0012, lines 421-423, [REDACTED] at 0001, paras. 6-7.
[1550] PNP, PHL-OTP-00240391 at 0006, PHL-OTP-00240392 at 0006.