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**Philippines**

# **Former President Duterte arrested by the International Criminal Court (ICC)**

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**Accused of crimes against humanity, Rodrigo Duterte was taken to The Hague (Netherlands) on March 11, where the International Criminal Court (ICC) is located. The charges are the tens of thousands of extrajudicial killings committed under his rule in the name of his "war on drugs."**

Rodrigo Duterte presided over the Philippines for two terms, from 2016 to 2022. In the name of fighting crime, he extended nationwide the use of death squads, which had been his trademark when he was mayor of Davao, in Mindanao in the south of the archipelago. Regardless of the innocent people murdered without investigation or trial, or the numerous "blunders," he thus imposed his reign, and the image of a strong, macho, deliberately vulgar man with an aggressive sexism, who is unrestrained by either laws or humanitarian considerations.

## Duterte thought he was protected

The Philippines joined the "Rome Statute" in 2011, on which ICC mandates depend. Under President Duterte, the Philippines left it (effectively breaking it in 2018). He believed he was thus protected and did not fail to copiously insult the ICC. His arrest was nevertheless made possible by the conjunction of two factors: the Hague Court declared itself competent to act for acts committed before 2018, and the current president, Ferdinand Marcos Jr., known as "Bong Bong," gave his consent for him to be taken to the Netherlands.

Alliances between powerful family clans, "political dynasties," make and break governments in the Philippines today. The presidential contest is dominated by a confrontation between the Marcoses and the Dutertes, all the more violent because they were once allies. Didn't Sara Duterte (Rodrigo's daughter) publicly declare that she would have "Bong Bong" assassinated? Pro-Duterte supporters (including Imee Marcos, Ferdinand's sister; families can be divided and ambitions tortuous) are now campaigning against the ICC—denounced as the judicial arm of the current presidential clan—and its intrusion as a colonial act, appealing to powerful feelings of loyalty and national pride.

## Battle between dynastic clans

The scale of the crimes committed under Duterte's presidency justifies (oh so much!) his arrest. The fact that this arrest is being carried out by the ICC is due to the fact that the Philippine justice system has proven incapable of doing so itself (at the risk of opening a Pandora's box, given the numerous complicity). It is not yet known whether the former president will be remanded in custody in The Hague pending his trial. In the Philippines, the political conflict is taking on a new dimension, with the mobilization of Duterte's supporters, who still enjoys significant popular support patiently built up with unlimited use of social media (à la Trump).

The return to the rule of family clans, once the progressive momentum of the 1986 uprising had been exhausted, had profoundly deleterious effects. All the mechanisms of elite corruption and subordination of the working classes (combining threats and cronyism) were in full swing. For one sector of the population, if the justice system proves incapable of ensuring security in working-class neighborhoods, let's turn a blind eye to the summary brutality. The institutional space of left-wing forces has shrunk like shagreen leather.

# The weakness of the left forces

Ferdinand Marcos Senior imposed martial law, which was overthrown in 1986. Not a great democratic legacy. The police and the army remain confident in their impunity, sanctioned by the two rival families. Thus, in Mindanao, where conflicts are intertwined, the military's orders today are to shoot their targets on sight, rather than seek to capture them. Negotiations for the peace process have stalled. Old and new businessmen (from the ranks of the MILF, the Muslim Liberation Front) want to seize the forest and mineral wealth of the ancestral territories of the mountain people, 86 of whose leaders have been assassinated. The spectacular conflict between the Dutertes and the Marcoses should not obscure the extent of social and territorial inequalities and the duty of solidarity with left-wing forces.

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