



December 13, 2021

Dear Mr. Khan, Prosecutor of the International Criminal Court,

We, the undersigned, represent churches and ecumenical organizations in Canada with a long history of working with partners in the Philippines for human rights, development justice, and inclusive equitable peace. We write with deep concern about the recent announcement of the International Criminal Court to suspend its investigation into crimes against humanity in the Philippines in the context of a grave and deteriorating human rights situation.

On November 18, 2021 the International Criminal Court announced that it was suspending its investigation of crimes against humanity in the Philippines to explore a deferral request from the Philippines government, claiming that the state was exercising jurisdiction in the criminal proceedings related to this case. It is well documented that the War on Drugs in the Philippines resulted in the murder of more than 27,000 people in the period in which the ICC is investigating between 2011 and 2019. Moreover, there is significant [evidence](#) that the government has obstructed investigations of these deaths and targeted human rights defenders involved with raising the voices of the victims' families.

As Canadian churches, and church related agencies, we have joined partners from around the world in participating in Investigate PH, an independent global initiative concerned with the current state of human rights situation in the Philippines. Investigate PH's International Commission released [three reports](#) this year that document intensifying political repression and human rights violations, and lack of domestic remedies to address the abuses.

We believe that the ICC has sufficient evidence that the government of the Philippines is not willing or able to investigate the case itself. This evidence has been provided by our partners: churches, human rights organization including National Union of People's Lawyers (NUPL), Karapatan, National Council of Churches in the Philippines and Rise Up for Life and for Rights. Given the evidence, it is our expectation that the ICC Prosecutor will reject the deferral request from the Philippines Government, and continue with the formal investigation and open a case. This evidence includes that there has been no domestic investigation into these crimes; there has been an unjustified delay in the domestic investigation of the crimes; there is no effective domestic mechanism to hear these crimes or hold their orchestrators accountable and; there has been no investigation into or accountability from the Duterte administration for authorizing these crimes.

We the undersigned call on you, as Prosecutor of the International Criminal Court, to undertake the review of the deferral request from the government of the Philippines with great expediency and to resume the investigation into crimes against humanity committed under the

auspices of the War on Drugs. We call on the ICC to open a case and ensure international justice for the victims of these abuses and their families.

Canada, and other state parties to the Rome Statute, have an important role to play in supporting this investigation through their engagement with the ICC. We call on the Government of Canada to publicly support the investigation being led by the ICC and provide any knowledge or resources necessary in order for it to be completed.

Finally, we stand in solidarity with the thousands of victims of the War on Drugs in the Philippines, and their families, and continue to support partners and colleagues who have faced persecution for their courage in drawing international attention to these crimes.

Sincerely,

Anglican Church of Canada

Anglican Church of Indigenous Peoples

Canadian Religious Conference/ Conférence religieuse canadienne

Evangelical Lutheran Church in Canada

KAIROS: Canadian Ecumenical Justice Initiatives | Initiatives oecuméniques Canadiennes pour la justice

United Church of Canada

C.C.:

Mélanie Joly, Minister of Foreign Affairs

Hon. Michael Chong, Shadow Minister of Foreign Affairs, Conservative Party of Canada

Heather Mc Pherson, Foreign Affairs Critic, New Democratic Party of Canada

Claude De Bellefeuille, party whip, Bloc québécois,

Alexie Brunelle-Duceppe, Foreign Affairs Critic, Bloc québécois,