Former Philippine President Duterte arrested for crimes against humanity

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Former Philippine president Rodrigo Duterte was arrested on Tuesday at Ninoy Aquino International Airport in Manila after the International Criminal Court (ICC) issued a warrant charging him with crimes against humanity. Within twelve hours of his arrest, Duterte was flown to The Hague.

The 15-page warrant issued by the ICC panel of three judges charged Duterte with acts of murder "against the civilian population of the Philippines," under the auspices of his so-called "war on drugs," both during his terms as mayor of the southern city of Davao and as President. Duterte organized, encouraged, funded, and oversaw a network of murder, involving the police and vigilantes, that killed tens of thousands.

The arrest and immediate extradition of Duterte expresses the intensity of the ongoing political warfare among the Philippine elite over the country's geopolitical orientation. The country is in the midst of a midterm election, scheduled to be held in May, that is being fiercely contested by the forces allied to President Ferdinand Marcos Jr, on the one hand, and those allied to his rival, Vice President Sara Duterte, daughter of the former president, on the other. Rodrigo Duterte is the most influential figure, the political godfather, of the slate opposed to Marcos.

Washington's accelerating preparations for war with China are fuelling the conflict in the Philippine elite. It has become entirely impossible to balance between economic relations with China and political relations with the United States. During his term as president, Duterte attempted to orient Philippine foreign policy away from Washington, announcing an end to a number of joint military exercises with the United States and refusing to pursue sovereignty claims against China over disputed waters in the South China Sea.

Over the past three years, Marcos, the son of the country's former dictator, has reintegrated the Philippines in Washington's war drive. He has opened military bases for US forces, allowed the Pentagon to supervise confrontations with China in the South China Sea with drones, and authorized the US deployment of an intermediate range Typhon class missile launcher system to the country with the capacity to target nearly all of China.

The "war on drugs" is not a divide between Marcos and Duterte. Marcos has continued Duterte's policies. While the unrestrained bloodshed under his predecessor has been curtailed, the repressive apparatus created by Duterte remains in force, and the police and vigilantes continue to kill scores. If Duterte stands charges for crimes against humanity, Marcos should as well.

The uncertainty surrounding US policy under the new Trump administration has sharpened the political volatility and widened the schism in the Philippine elite. The question of Manila's geopolitical orientation has been compounded by intense speculation over the slashed funding of USAID and its impact on basic social amelioration programs, and, above all, the impact of possible tariffs on the Philippines economy.

Rice prices in the country are at record highs. The Marcos administration declared a national food security emergency last month. Rodrigo Duterte made rice prices, and Marcos's inability to control them, a key election issue.

The midterm election, which most critically will select half of the Senate, became a referendum in the elite over the country's geopolitical orientation and response to deteriorating social conditions. On the last day of the congressional session prior to its adjournment for the duration of the election, impeachment charges were abruptly filed against Vice President Duterte, charging her with corruption and with having called for the assassination of President Marcos. Congress voted to impeach, and the charges will be sent to the incoming Senate for trial.

The Marcos-headed campaign has issued repeated statements calling on Filipinos not to vote for "pro-China" candidates. Baseless allegations of massive Chinese spying are being used to whip up an atmosphere of war hysteria and racist nationalism. The function of these lies is to attempt to divert mass anger away from the immense social crisis.

Rodrigo Duterte, running to again become mayor of Davao, headed the opposition slate. On Sunday he travelled to Hong Kong, along with the vice president and other candidates of the opposition, for a political rally among the large community of Filipino workers there. On Tuesday morning, he was arrested when his return flight from Hong Kong landed in Manila.

The Marcos administration, in a press conference on Tuesday, reported that they received an arrest warrant from the ICC, served by Interpol, at three in the morning on Tuesday and authorized the Philippine police, with an Interpol representative, to make the arrest of the former president. Hundreds of police officers filled the airport. Duterte was taken, not to police custody at Camp Crame, but to the Villamor Air Base, headquarters of the Philippine Air Force.

Duterte's legal representative filed an emergency case with the Supreme Court, claiming that the international warrant was invalid, as the Philippines had withdrawn its membership in the

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ICC. The Supreme Court did not convene, saying that it would hear the case the following day. On Tuesday, a private chartered plane flew Duterte to The Hague.

In 2018 Duterte withdrew the Philippines from membership in the ICC, rejecting any international investigation into the ongoing human rights violations of his administration. President Marcos in his brief press conference on Tuesday, absurdly pretended that the decision to arrest and extradite the former president was not a political decision but simply compliance with Interpol. The Philippines was not recognizing the jurisdiction of the ICC, he claimed, but simply responding to a request from Interpol. "Interpol asked for help," he said, "and we obliged, because we have commitments to the Interpol."

News of Duterte's arrest was greeted with immense enthusiasm by wide layers of Philippine society, particularly among students and families of the victims of the war on drugs. Duterte is unquestionably guilty of the crimes of which he is accused.

Duterte publicly instructed the police to shoot people accused of drug dealing, rather than arrest them. He explicitly and repeatedly stated that he was extending immunity from prosecution to all police accused of murder in this campaign. The police, under Duterte's instructions, began to pay vigilantes money for every person they killed. Mutilated corpses were left in the streets, cardboard signs reading "I'm a pusher" laid across their lifeless bodies.

The best estimate for the number killed by police and vigilantes under the Duterte administration, based on a careful tally of the official death toll and the ratio of vigilante killings to police murders, is around 30,000. The victims were drawn exclusively from the most impoverished and oppressed layers of Philippine society. Duterte's war on drugs was a war on the poor. It was the fascist face of the ruling elite in suppressing the worsening social crisis and the threat of unrest.

Duterte did not create this apparatus of murder alone. Sen. Ronald dela Rosa, then head of the Philippine National Police, oversaw the daily operations of repression. Duterte's legal team justified it. A network of businessmen, cabinet officials and religious figures sat on his Anti-Terror Council and oversaw the stripping away of the democratic rights of the population. An overwhelming majority of the legislature, the largest supermajority in Philippine history until then, backed the president. Many of those on the Marcos ticket, who now denounce Duterte, were in fact his enablers.

The Obama administration provided millions in funds earmarked for Duterte's war on drugs in 2016, after the body count was already in the hundreds, and as Duterte publicly spoke of killing a hundred thousand. The Obama White House only discovered its concern for human rights when Duterte oriented Philippine foreign policy to China. The Trump administration in 2017 enthusiastically endorsed Duterte's policies. Trump told Duterte in a phone call that he hoped Duterte could teach the US how to use his methods for dealing with the immigrants on the southern border. Joe Biden invited Duterte to a "Summit for Democracy" with a letter that read we "recognize and appreciate your partnership in working to build democratic and human rights-respecting societies that allow all citizens to thrive."

Political culpability for Duterte's rise to power rests with the Stalinist Communist Party of the Philippines (CPP) and the various national-democratic organizations, such as Bayan, that follow its political line. The CPP long supported Duterte as mayor of Davao. The organization Bayan campaigned for his election in 2016. Jose Ma Sison, head of the CPP, hailed Duterte's election, calling Duterte a "socialist," and selected three members of Duterte's cabinet. In the early stages of his war on drugs, the CPP and Bayan defended the president.

President Ferdinand Marcos Jr. himself faces international charges for human rights violations. He was an integral part of his parents' military dictatorship, serving, among other things, as governor of Ilocos Norte. When Marcos was elected president in 2022, Biden arranged immunity for Marcos against an outstanding arrest warrant in US courts on charges of human rights violations.

The legal case justifying the arrest and extradition of Duterte was presented by Chief Presidential Legal Counsel Juan Ponce Enrile. Now over 100 years old, Enrile was the architect of martial law and the head of an entire apparatus of military torture and murder under the Marcos Sr. administration.

The content of the ICC warrant and, above all, the timing of its release are of a highly political character. While details have yet to emerge, the arrest of Duterte could not have occurred without the endorsement and support of Washington, even though the US has not ratified the Treaty of Rome and is not a member of the ICC. However exactly the decision to arrest and extradite Duterte was arrived at, it clearly serves the interests of US imperialism.

Washington defends and funds war criminals when it serves its interests. It threatens sanctions against anyone who aids the ICC in serving its outstanding warrant against Israeli Prime Minister Benjamin Netanyahu for war crimes in Gaza. It backed Duterte's crusade of murder as long as he served US interests. Duterte's arrest is part of a political war being waged by Washington for the geopolitical loyalty of Manila in its drive to war with China.

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