# Staying the course despite setbacks

https://opinion.inquirer.net/181943/staying-the-course-despite-setbacks

It is ironic that after handing over former president Rodrigo Duterte to the International Criminal Court (ICC) on the strength of an arrest warrant served by the International Police Organization (Interpol), the Philippine government suffered two diplomatic setbacks in its pursuit of fugitives evading criminal charges in the country.

Wednesday last week, Justice Secretary Jesus Crispin Remulla disclosed that Malaysia had refused to provide information on how dismissed Bamban, Tarlac mayor Alice Guo was able to flee to Kuala Lumpur in July last year. Guo faced several Senate hearings that looked into her spurious Filipino citizenship, and her links to a Philippine offshore gaming operator (Pogo) complex in Tarlac found to have hosted criminal activities.

According to Remulla, Malaysian authorities were supposed to provide information on Guo’s escape route from the Philippines, but had “refused to give it to us.”

The following day, the Department of Justice announced that a Timor-Leste court had rejected the Philippine government’s bid to extradite expelled lawmaker Arnolfo Teves Jr. who is accused of masterminding the killing of his political rival, Negros Oriental Gov. Roel Degamo, in March 2023.

## Commitments with Interpol

The twin debacle is unfortunate and quite embarrassing for the Philippine government, which facilitated the March 11 arrest of Duterte and his immediate transport via a chartered flight that brought him to the ICC in The Hague, Netherlands. The former president is facing ICC trial for murder as a crime against humanity over extrajudicial killings in his bloody war on drugs.

Duterte withdrew Philippine membership from the Rome Statute which created the ICC back in 2018, when it began investigating the extrajudicial killings committed while he was Davao City mayor and later, as the country’s president.

President Marcos had previously vowed noncooperation with the ICC on account of the country’s withdrawal that took effect in 2019. Asked about this after Duterte’s arrest, he said the government was “obliged” to help serve the ICC warrant on Duterte since it was coursed through the Interpol.

“Interpol asked for help and we obliged because we have commitments to the Interpol, which we have to fulfill. If we don’t do that, they will no longer help us with other cases involving Filipino fugitives abroad,” Mr. Marcos said.

## Dispute over Sabah

In Teves’ case, the government cannot count on Interpol’s help because Teves had sought asylum in Timor-Leste, whose appeals court blocked his extradition to the Philippines. Remulla raised the possibility that money had something to do with the adverse outcome, noting further that Timor-Leste has a “very immature justice system.”

Rather than seeking to change Timor-Leste’s position with criticisms, the government must focus on exerting all legal and diplomatic means to bring Teves back to face the charges. The Department of Foreign Affairs must make the proper representations with the fledgling democracy, which has an observer status at the Association of Southeast Asian Nations (Asean). With the Philippines taking on the rotating chairmanship of Asean next year, it could raise the Teves case as an example of areas of cooperation that a prospective Asean member must consider.

Malaysia’s refusal to cooperate in the investigation on Guo’s escape, on the other hand, was attributed to the two countries’ dispute over Sabah. This is a far more complex matter with no immediate resolution in sight.

## Triple whammy

Information on Guo’s escape route could prove helpful to immigration officials who believe that lawyer Harry Roque, Duterte’s former spokesperson, likely used the same backdoor exit to leave the country and evade the warrant issued by the House of Representatives. Guo reportedly exited through Tawi-Tawi enroute to Sabah, and on to Jakarta, Indonesia where she was arrested and brought back to the Philippines.

Like Guo, Roque has been implicated in the Pogo scam and was able to leave the country in September 2024. He recently surfaced in The Hague to present himself as a counsel for Duterte and announced that he had applied for asylum in the Netherlands.

Malaysia’s negative response to the country’s request should prompt the Bureau of Immigration to ferret out from other sources the needed information on the Guo and Roque capers and identify those complicit in their escape. The BI need not look far as corruption in its ranks remains rampant.

Roque’s asylum case is a potential triple whammy that the government can ill afford, given the politically charged arrest of Duterte. It is incumbent on the government to exert more vigorous efforts to bring Teves and Roque back to face their cases in the country. Failing to do so could validate the narrative being spread by Duterte supporters that the Marcos administration is conducting a politically motivated and selective prosecution of the former president.

###—###

#ColumnName

EDITORIAL